



AGENDA

CITY COUNCIL WORKSHOP (7 PM OR IMMEDIATELY FOLLOWING COUNCIL SPECIAL MEETING)

7651 E. Central Park Ave, Bel Aire, KS

Video Available at belaireks.gov

January 09, 2024 7:00 PM



I. CITY ADMINISTRATION

- A. Imagine IT – IT systems update
- [B.](#) PEC – Consulting assistance
- [C.](#) Police – Replacement Vehicle
- [D.](#) City of Bel Aire Legislative Agenda - 2024

II. OTHER?

III. DISMISS

Additional Attachments

- [A.](#) City Manager's Report - January 9, 2024

Notice

This meeting will begin at 7:00 p.m. or immediately following the City Council Special Meeting on January 9, 2023 at 6:30 p.m. It is possible that immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Video of this meeting can be streamed on www.belaireks.gov and on YouTube. Please make sure all cell phones and other electronics are turned off and put away.

January 4, 2024

Mr. Ty Lasher, City Manager
City of Bel Aire
7651 E Central Park Ave
Bel Aire, KS 67226

Reference: MASTER SERVICES AGREEMENT
PEC Project No. 36-237363-000-2564

Dear Mr. Lasher:

Professional Engineering Consultants, P.A. (“PEC”) is pleased to provide professional services to City of Bel Aire (“Client”) in accordance with this Master Services Agreement (“Agreement”). The specific services to be performed by PEC (the “Services”) for any project subject to this Agreement (each a “Project”) will be described in a written work order in the form of Exhibit A to this Agreement (“Work Order”). The parties’ rights and obligations under this Agreement shall also be governed by the following terms and conditions.

Term; Conflicts. This Agreement will commence on the effective date and continue in effect for a period of two (2) years with four (4), one-year renewals for a total of six (6) years. Thereafter, it shall automatically renew for successive 1-year periods unless terminated by either party upon 3 calendar days’ written notice prior to the end of the then current term, or terminated earlier for cause. The parties agree that this Agreement, by itself, does not guarantee any future work, and neither party shall be obligated to execute any Work Order. With respect to any Work Order entered into prior to termination (except termination for cause), this Agreement shall continue in effect for the remaining term of the Work Order.

Each executed Work Order shall be incorporated into this Agreement reference. In the event of a conflict between this Agreement and a Work Order, the Work Order shall govern.

Client Responsibilities. To enable PEC to perform the Services, Client shall, at its sole expense: (1) provide all information and documentation regarding Client’s requirements as necessary for the orderly progress of the Services; (2) designate a person to act as Client’s representative with authority to transmit instructions, receive instructions and information, and interpret and define Client’s requirements and requests regarding the Services; (3) provide access to, and make all provisions for PEC to enter the Project site as required to perform the Services, including those provisions required to perform subsurface investigations such as, but not limited to, clearing of trees and vegetation, removal of fences or other obstructions, leveling the site, and providing access roadways to the site as needed; (4) site restoration and repair, as needed following field investigations; (5) establish and periodically update a Project budget, which shall include a contingency to cover additional services as may be required by changes in the Project; and (6) timely respond to requests for information and timely review and approve all design deliverables. PEC shall be entitled to rely on all information and services provided by Client.

Client recognizes field investigations may damage existing property. PEC will take reasonable precautions to minimize property damage whenever field investigations are included in the Services.

Ty Lasher
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Payment. Invoices will be submitted periodically and are due and payable net 30 days from invoice date. Unpaid balances past due shall be subject to an interest charge at the rate of 1.5 % per month from the date of the invoice, and any related attorneys’ fees and collection costs. PEC reserves the right to suspend the Services and withhold deliverables if the Client fails to make payment when due. In such an event, PEC shall have no liability for any delay to the Project or damage to Client or any third-party resulting from such suspension.

Work Product. PEC is the author and owner of all reports, drawings, specifications, test data, techniques, photographs, letters, notes, and all other work product, including in electronic form, created by PEC in connection with the Services (the “Work Product”). PEC retains all common law, statutory, and other reserved rights in the Work Product, including copyrights. The Work Product may not be reproduced or used by the Client, or anyone claiming by, through or under the Client, for any purpose other than the purpose for which it was prepared, including, but not limited to, use on other projects or future modifications to the Project, without the prior written consent of PEC. Any unauthorized use of the Work Product shall be at the user’s sole risk and Client shall indemnify PEC for any liability or legal exposure arising from such unauthorized use. To the extent PEC terminates this Agreement due to non-payment by Client, Client shall not be entitled to use the Work Product for any purpose without the prior written consent of PEC.

Unless otherwise agreed by Client and PEC, Client may rely upon Work Product only in paper copy (“hard copy”) or unalterable digital files, with either wet or digital signature meeting the requirements of the governing licensing authority having jurisdiction over the Project. In all instances, the original hard copy of the Work Product takes precedence over electronic files. All electronic files furnished by PEC are furnished only for convenience, not reliance by Client, and any reliance on such electronic files will be at the Client’s sole risk.

Insurance. Client and PEC agree to each maintain statutory Worker’s Compensation, Employer’s Liability Insurance, General Liability Insurance, and Automobile Insurance coverage for the duration of this Agreement. Additionally, PEC will maintain Professional Liability Insurance for PEC’s negligent acts, errors, or omissions in providing Services pursuant to this Agreement.

Change Orders. Changes in the Services may be accomplished after execution of this Agreement or any Work Order only by a written change order signed by Client and PEC. For any change that increases PEC’s cost of, or time required for performance of any part of the Services, PEC’s compensation and time for performance will be equitably increased.

Differing, Concealed, or Unknown Conditions. If PEC encounters conditions in performance of the Services that are (1) subsurface or otherwise concealed physical conditions that differ materially from those indicated in the information provided to PEC, or (2) unknown physical conditions of an unusual nature that differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities of the character provided for in the Project or Work Order, PEC will, if practicable, promptly notify Client before conditions are disturbed. Subsurface condition identification is limited to only those points where samples are taken.

The nature and extent of subsurface condition variations across a Project site may not become evident until construction commences. PEC assumes no liability for site variations differing from those sampled, or concealed or unknown conditions discovered during construction. If the differing, concealed, or unknown conditions cause an increase in PEC’s cost of, or time required for performance of any part of the Services, PEC’s compensation and time for performance will be equitably increased.

Additionally, Client (1) waives all claims against PEC and (2) agrees to indemnify and hold harmless PEC as well as its respective officers, directors and employees, from and against liability for claims, losses, damages, and expenses, including reasonable attorneys' fees from all claims, including third-party claims resulting from differing, concealed, or unknown conditions.

Fast-Track, Phased or Accelerated Schedule. Accelerated, phased or fast-track scheduling increases the risk of incurring unanticipated costs and expenses, including costs for PEC to coordinate and/or redesign portions of the Project affected by procuring or installing elements of the Project prior to the completion of all relevant construction documents, and costs for others to remove and replace previously installed work. If Client selects accelerated, phased or fast-track scheduling, Client agrees to include a contingency in the Project budget sufficient to cover such costs.

Force Majeure. PEC will not be liable to Client for delays in performing the Services or for any costs or damages that may result from: labor strikes; riots; war; acts of terrorism; acts or omissions of governmental authorities, the Project owner, Client or third-parties; extraordinary weather conditions or other natural catastrophes; acts of God; unanticipated site conditions; or other acts or circumstances beyond the control of PEC. In the event performance of the Services is delayed by circumstances beyond PEC's control, PEC's compensation and time for performance will be equitably increased.

Construction Means; Safety. PEC shall have no control over and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for construction safety precautions and programs. PEC shall not be responsible for the acts or omissions of any contractor, subcontractor or any other person performing any work (other than the Services), or for the failure of any of them to carry out their work in accordance with all applicable laws, regulations, codes and standards, or the construction documents.

Cost Estimates. Upon request, PEC may furnish estimates of probable cost, but cannot and does not guarantee the accuracy of such estimates. All estimates, including estimates of construction costs, financial evaluations, feasibility studies, and economic analyses of alternate solutions, will be made on the basis of PEC's experience and qualifications and will represent PEC's judgment as a design professional familiar with the construction industry. However, PEC has no control over (1) the cost of labor, material or equipment furnished by others, (2) market conditions, (3) contractors' methods of determining prices or performing work, or (4) competitive bidding practices. Accordingly, PEC will have no liability for bids or actual costs that differ from PEC's estimates.

Termination. Both Client and PEC have the right to terminate this Agreement for cause upon seven calendar days' written notice to the other party. In the event the PEC terminates this Agreement for cause, PEC shall be entitled to payment for all Services performed and expenses incurred up to the time of such termination, plus fees for any required transition services, and reimbursement of all costs and damages attributable to such termination.

Environmental Hazards. Client acknowledges that the Services do not include the detection, investigation, evaluation, or abatement of environmental conditions that PEC may encounter, such as mold, lead, asbestos, PCBs, hazardous substances (as defined by Federal, state or local laws or regulations), contaminants, or toxic materials that may be present at the Project site. Client agrees to defend, indemnify, and hold PEC harmless from any claims relating to the actual or alleged existence or discharge of such materials through no fault of PEC. PEC may suspend the Services, without liability for any damages, if it has reason to believe that its employees may be exposed to hazardous materials.

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Betterment. PEC will not be responsible for any cost or expense that provides betterment, upgrade, or enhancement of any Project.

Dispute Resolution. The Client and PEC will endeavor to resolve claims, disputes and other matters in issue arising out of this Agreement, the Project or the Services through a meet and confer session. The meeting will be attended by senior representatives of Client and PEC who have full authority to resolve the claim. The meeting will take place within thirty (30) days after a request by either party, unless the parties mutually agree otherwise. Prior to the meeting, the parties will exchange relevant information that will assist in resolving the claim.

If the parties resolve the claim, they will prepare appropriate documentation memorializing the resolution. If the parties are unable to resolve the claim, Client and PEC agree to submit the claim (except PEC claims for nonpayment) to mediation prior to the initiation of any binding dispute resolution proceedings. The mediation will be held in Wichita, Kansas, and the parties will share the mediator’s fees and expenses equally.

Jurisdiction; Venue; Governing Law. To the fullest extent permitted by law, Client and PEC stipulate that the Eighteenth Judicial District, District Court, Sedgwick County, Kansas is the court of exclusive jurisdiction and venue to determine any dispute arising out of or relating to this Agreement, the Project or the Services. Client and PEC further agree that this Agreement shall be construed, interpreted and governed in accordance with the laws of the State of Kansas without regard to its conflicts of laws principles.

Indemnity. To the fullest extent permitted by law, Client and PEC each agree to indemnify and hold harmless the other, as well as their respective officers, directors and employees, from and against liability for claims, losses, damages, and expenses, including reasonable attorneys’ fees, provided such claim, loss, damage, or expense is attributable to bodily injury, sickness, disease, death, or property damage, but only to the extent caused by the negligent acts or omissions of the indemnifying party, or anyone for whose acts they may be liable.

Agreed Remedy. To the fullest extent permitted by law, the total liability, in the aggregate, of PEC and PEC’s officers, directors, employees, agents, and consultants to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages, including, without limitation, attorneys’ fees, arising out of or in any way related to this Agreement, the Services, or the Project, from any cause and under any theory of liability, shall not exceed PEC’s total fee under the applicable Work Order. In no event will PEC be liable for any indirect, incidental, special or consequential damages, including, without limitation, loss of use or lost profits, incurred by Client or anyone claiming by, through or under Client.

Assignment. Neither Client nor PEC will assign any rights, duties, or interests accruing from this Agreement without the prior written consent of the other. This Agreement will be binding upon Client, PEC, and their successors and assigns.

No Third-Party Beneficiaries. This Agreement is solely for the benefit of Client and PEC. Nothing herein is intended in any way to benefit any third party or otherwise create any duty or obligation on behalf of Client or PEC in favor of such third parties. Further, PEC assumes no obligations or duties other than the obligations to Client specifically set forth in this Agreement. PEC shall not be responsible for Client’s obligations under any separate agreement with any third-party including, without limitation, any agreement between Client and a Project owner.

Performance. PEC will perform the Services with the level of care and skill ordinarily exercised by other consultants of the same profession under similar circumstances, at the same time, and in the same locality. PEC agrees to perform the Services in as timely a manner as is consistent with the professional standard of care and to comply with applicable laws, regulations, codes and standards that relate to the Services and that are in effect as of the date when the Services are provided.

Entire Agreement. This Agreement represents the entire and integrated agreement between Client and PEC and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may only be amended by a writing signed by Client and PEC.

Severability. If any provisions of this Agreement is determined to be unenforceable, in whole or in part, the remainder shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.

This Agreement is effective upon the later of the two dates below.

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: _____

Printed Name: Michael D. Kelsey, P.E.

Title: Senior Vice President of Government Markets

Date: _____

CITY OF BEL AIRE, KANSAS

By: _____

Printed Name: _____

Title: _____

Date: _____

WORK ORDER NO. _____

This Work Order No. _____ is made as of this _____ day of _____, 20____, under the terms and conditions established in the Master Agreement between Client and Professional Consultant dated _____ (the “Master Services Agreement” between City of Bel Aire, Kansas (Client) and Professional Engineering Consultants, P.A. (PEC). Except to the extend modified herein, all terms and conditions of the Master Services Agreement shall continue a full force and effect.

SECTION A – SERVICES

A.1 PEC shall perform the following services (collectively, the “Services”):

[Enter detailed scope of services]

A.2 In conjunction with the performance of the Services as described above, PEC shall provide the following submittals, documents or other deliverables to Contractor:

[Enter list of deliverables]

A.3 Exclusions:

[Enter list of exclusions]

SECTION B – SCHEDULE

PEC shall perform the Services and deliver the above documents according to the following:

[List milestone dates for performance of Services]

SECTION C – COMPENSATION

In return for the proper performance by Consultant of its Services, Client shall pay to PEC an amount not to exceed _____ Dollars (\$_____), payable according to the following terms:

[Enter payment terms and attach rate schedule if appropriate]

SECTION D – OTHER PROVISIONS

The parties agree to the following additional provisions with respect to this Work Order:

[Enter other provisions]

CITY OF BEL AIRE, KANSAS

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

WORK ORDER NO. 24-01
Base Monthly Services

This Work Order No. 24-01 is made as of this _____ day of _____, 2024, under the terms and conditions established in the Master Service Agreement between Client and Professional Consultant dated _____ (the “Master Services Agreement” between the City of Bel Aire, Kansas (Client) and Professional Engineering Consultants, P.A. (PEC). Except to the extent modified herein, all terms and conditions of the Master Services Agreement shall continue a full force and effect.

SECTION A – SERVICES

A.1 PEC shall perform the following services (collectively, the “Services”):

1. General Services:

- a. Provide monthly project status reports to the Client to include project updates such as status, schedules, outstanding items, and costs on a regular basis.
- b. Meet regularly, with designated City staff, at Bel Aire City Hall to review the status of projects.
- c. Be available to meet with City personnel, design professionals, vendors, and suppliers.
- d. Be available by telephone, virtual meeting, in person or email.
- e. This Work Order will be reviewed every six (6) months by both parties, at a time and place jointly agreed upon, to ensure services, fees, and expectations remain in alignment.

2. Geographic Information Systems (GIS) Services:

- a. Provide GIS mapping, updates to existing GIS layers, new GIS layers, new applications.
- b. Provide guidance on GIS operations and best practices.
- c. Provide routine advice on GIS issues confronting the Client.
- d. Upon request, attend City staff meetings to discuss GIS applications and/or needs.
- e. All deliverables will be provided within the Client’s ArcGIS Online (AGOL) Organization.
- f. Responsibilities of the Client:
 - i. Perform on-going back-up of GIS data.
 - ii. Provide guidance to PEC regarding its GIS priorities, needs and schedules.

- iii. Provide PEC administrative level access to its ArcGIS Online account, and access to all its data.
 - iv. Provide other information as necessary for PEC to conduct the Client's requests, including CADD files.
3. Planning Services:
- a. Infrastructure Funding Assistance:
 - i. Provide guidance on funding opportunities for city infrastructure projects (streets, water, sewer, stormwater) for Client's consideration.
 - ii. Provide periodic reports of candidate funding opportunities with associated deadlines, pros/cons, and recommendations for pairing with Client priority infrastructure projects.
 - b. Community Development and Municipal Planning Services:
 - i. Provide land use planning services to support the Client's Current Plans and Comprehensive Planning processes.
 - ii. Upon request, provide attendance at City Planning Commission, City Council meetings, Development Review meetings, staff meetings and special workshops.
 - iii. Provide routine advice on planning issues confronting the Client and guidance on land use planning operations and best practices.
 - iv. Responsibilities of the Client:
 1. Provide any existing documentation on the project, including maps, engineering studies, master plan, cost estimate, bids, architectural studies, or plats.
4. Engineering Services:
- a. Upon request, provide qualified staff at regularly scheduled meetings of the City Council, City Planning Commission meetings, and special workshops.
 - b. Upon request, provide routine advice on matters pertaining to engineering issues confronting the Client.
 - c. Upon request, preview proposed plats, drainage plans, utility plans, site plans, petitions and phase maps submitted to the Client for conformance to City standards,
 - d. Assist the Client in developing planning level project costs estimates for Capital Improvement Project (CIP) projects.

e. Responsibilities of the Client:

- i. To furnish PEC with all prior developed applications, reports, design calculations, drawings, and pertinent correspondence with State and Federal agencies.

A.2 Exclusions:

1. Standalone projects or services expected to take longer than four (4) hours. These services shall be contracted by separate work order prior to commencement.
2. The following shall be specifically excluded from the GIS Scope of Services provided by PEC:
 - a. Cost of ArcGIS (Online, Desktop, other Extensions) licensing.
 - b. Cost associated with hardware or hardware services, such as tablets or GIS equipment.
 - c. Responsibility to any changes to ArcGIS software made by ESRI or Client's ArcGIS online. Administrator including but not limited to price, licensing structure, and updates that could affect workflows.
 - d. Responsibility for downtime to ArcGIS Online services.
 - e. Responsibility for data loss.
 - f. Responsibility for backing up Client's data.
 - g. Responsibility for accuracy of data not produced by PEC.

SECTION B – SCHEDULE

1. PEC and Client agree that the scope of services for these Services will be completed in accordance with a mutually agreed schedule.
2. The Client acknowledges that directed changes, unforeseen conditions, and other delays may affect the completion of PEC's services. PEC will not have control over or responsibility for any contractor or vendor's performance schedule.

SECTION C – COMPENSATION

1. PEC's Fee for its Scope of Services will be a lump sum fee of **\$10,000.00** per month.
2. Printing costs and outside consultants are excluded from this agreement.
3. Taxes are not included in PEC's Fees. The Client shall reimburse PEC for any sales, use, and value added taxes which apply to these services.

SECTION D – OTHER PROVISIONS

1. Additional Responsibilities of Client:
 - a. Designate a Project Manager authorized to request services of PEC and obtain approval for standalone projects or services expected to take longer than four (4) hours via separate work orders.
 - b. Attend all Project-related meetings.
 - c. Provide comments on draft documents and reports within fourteen (14) days of submittal.
 - d. PEC may rely on information provided by the Client.
 - e. Will notify PEC at least two (2) working days in advance of any scheduled discussion or need for information that will need to be developed by PEC to be presented by PEC at a regularly scheduled City Council meeting, Planning Commission meetings, staff meeting or special workshop.

CITY OF BEL AIRE, KANSAS

**PROFESSIONAL ENGINEERING
CONSULTANTS, P.A.**

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Active Projects

TO: Bel Aire DATE: January 4, 2024
ATTENTION: Ty Lasher, Ted Henry PROJECT: City of Bel Aire Projects
FROM: Kristen Zimmerman, AICP COPIES TO: _____
REFERENCE: _____

Please advise immediately of any misconceptions or omissions you believe to be contained herein.

Shown below is a list of current PEC projects with status updates:
Activity for the month of December 2023

Standalone Contracts – These will remain as standalone contracts.

1. **Water and Wastewater Options Assessment – Phase 2 (230255-000)**
Project Manager: Sarah Unruh, PE
2. **2022 Water and Sewer Master Plan (220925-000)**
Project Manager: Trevor Kaufman, PE
3. **Pavement Maintenance Improvements Construction Phase (210641-004)**
Project Manager: Luke Peter, PE
4. **Bike Ped Trail Concept (227328-006)**
Project Manager: Rebecca Mellies, PE
5. **Comp Land Use Plan (227328-003)**
Project Manager: Lance Onstott, AICP
6. **GIS Subdivision Water (227328-005)**
Project Manager: Sheldon Bina, GISP

On-Call Existing Contracts – These will be merged into the Work Order #1

GIS On-Call (227328-001)
Project Manager: Kristen Zimmerman, AICP

Planning On-Call (227328-000)
Project Manager: Kristen Zimmerman, AICP

- Engineering Plan Reviews – Cozy Dr, 53rd St, Aurora Park Sts
- Deer Run Neighborhood Traffic Assessment
- Water / Sewer Model Runs
- WAMPO Funding Cycle Applications
- Water and Sewer Funding/Financing

City of Bel Aire, Kansas

STAFF REPORT

DATE: January 2, 2024

TO: Governing Body

FROM: Chief Darrell Atteberry

RE: Police Vehicle Purchase



BACKGROUND:

AGENDA ITEM DESCRIPTION: The City of Bel Aire Police Department seeks approval for the purchase of two Dodge Durango Police vehicles.

The police department is budgeted through the Equipment Replacement Fund to purchase patrol vehicles.

In 2022, the police department ordered two Ford Explorers in anticipation of an extraordinary wait time for delivery. Because of the year-long wait for delivery, the order was cancelled. The vehicle upfitter used by the Bel Aire Police Department, TCS, was able to acquire two 2023 Dodge Durango Police vehicles which were delivered quickly.

BACKGROUND HISTORY: The City of Bel Aire Police Department maintains a fleet of seven patrol vehicles. All are fully-marked patrol vehicles equipped with audio/visual recording devices, radios, emergency lighting, prisoner transport systems, weapons and additional small items for traffic control and working cases in the field.

As the vehicles gain mileage, the cost to maintain the vehicles increases. In an effort to balance out the mileage of the vehicles, the police department efforts to move the vehicles around on the shifts. This helps balance out the mileage according to the age of the vehicles.

As vehicles near the end of their police patrol life cycle, which around 80,000 miles, they require more maintenance. It is a challenge to keep the vehicles in operation even with regular maintenance when the vehicles go beyond 80,000 miles. The police department has vehicles that need to be removed from the fleet as their mileage is beyond 80,000 miles.

There is no concern about abuse of the equipment. Police patrol vehicles are often used around the clock, on city streets, country roads, and often off-road to accomplish the policing purpose. These are not family transport vehicles.

FINANCIAL IMPACT:

2023 Dodge Durango Police	\$43,148 each
Equipment Install, Labor	\$14,400 each
Total	\$57,548 each

The purchase of the Dodge Durango Police vehicles will be through the Equipment Replacement Fund.



STAFF RECOMMENDATION: Staff recommends approval of the purchase change from the Ford Explorer Police Utility vehicles to the Dodge Durango Police vehicles.

2024 Statement of Municipal Policy



State



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GOVERNING BODY



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J. Michael Wilkes
City Manager, Olathe



Vice President
Roy Cessna
Commissioner, Garden City

Past Presidents

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- Sara Caylor, Commissioner, Ottawa
- Daron Hall, City Manager, Pittsburg
- David McDaniel, Mayor, Ellis
- Terry Somers, Mayor, Mount Hope

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- Thomas Brown, Mayor, McPherson
- Tyrone Garner, Mayor, Unified Government of Wyandotte County/Kansas City
- Christy Gibson, City Clerk, Greensburg
- Everett Green, Mayor, Scott City
- Nick Hernandez, City Manager, Dodge City
- Katie Jackson, City Attorney, Manhattan
- Russ Kessler, Mayor, Haysville
- Jenny Landers, Mayor, Otis
- Amy Lange, City Manager, Concordia
- Ty Lasher, City Manager, Bel Aire
- Stan Luke, Mayor, Burlington
- Michael Padilla, Mayor, Topeka
- Curt Skoog, Mayor, Overland Park
- Austin St. John, City Administrator, Mulvane
- Brandon Whipple, Mayor, Wichita

Executive Director

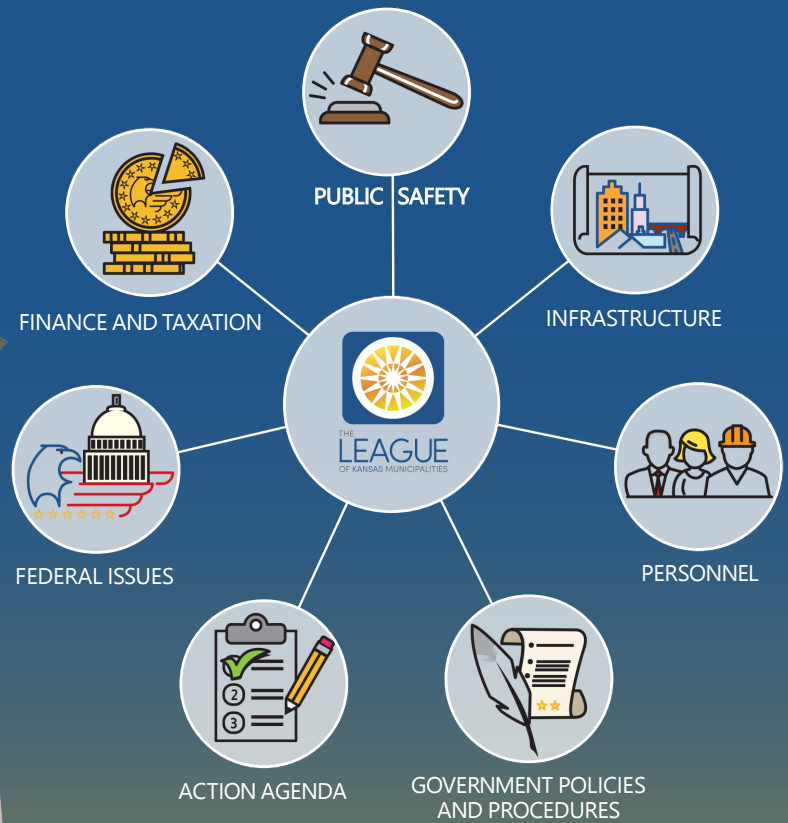
Nathan Eberline



ABOUT THE LEAGUE

SUPPORTING KANSAS CITIES

The League of Kansas Municipalities is a membership association that advocates on behalf of cities, offers training and guidance to city appointed and elected officials, and has a clear purpose of strengthening Kansas communities. Since 1910, the League has been a resource for cities across Kansas and has acted as a body to share ideas, facilitate communication between members, and provide information on best practices in city operations.





LEGISLATIVE PRIORITIES

The prosperity of Kansas is dependent upon the prosperity of its cities. More than 84% of Kansans live in an incorporated city. To promote healthy and sustainable communities, the elected and appointed city officials of Kansas establish the following as 2024 legislative priorities:

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

GOVERNMENT COMPETITION. Local governments should retain local control over the services they provide to residents and businesses. Free markets are the best vehicle for allocating goods and services. However, there are circumstances where the free market does not efficiently allocate goods and services, creates externalities that endanger public safety and welfare, or simply does not provide a service. In these instances, it falls to local government to respond to the needs of the people. In addition, local governments provide services for the sole benefit of their residents and should continue to receive tax benefits to provide those services at a low cost.

CITY ELECTIONS. We oppose any actions by the state government to impose partisan elections on cities. All cities have the authority to make this decision for their community, and each city, in consultation with its citizens, should make that determination.

SALES TAX & EXEMPTIONS. Cities should continue to retain voter-approved local sales tax allocations. The Legislature is granted authority to make decisions relating to statewide sales tax. Local voters vote on and are granted authority to make decisions regarding local sales taxes. Any sales tax exemptions considered by the Legislature should only apply to the state portion of sales tax and not eliminate voter-approved local sales taxes.

MENTAL HEALTH. We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

HOUSING. A lack of quality housing across the state creates an impediment to growth and economic development. The League supports programs that encourage access to quality housing.

SALES TAX REVENUE IN STAR BOND DISTRICTS. The reduction and elimination of the state food sales tax threatens the viability of existing STAR Bond project districts that include groceries by eliminating a source of revenue pledged to repay the bonds. We support the creation of a long-term funding mechanism to ensure state reimbursement of lost funds caused by reduction and elimination of the state share of food sales tax in impacted STAR Bond districts.

WATER. Access to water is paramount for the growth and viability of communities. Government at all levels should pursue the conservation, protection, and development of current and future water supplies to ensure access to clean, safe, and affordable water for all Kansans. We support state action, in consultation with municipal providers, to address surface and groundwater resources.

LAVTR. The state legislature, as required by statutes, should fund the Local Ad Valorem Tax Reduction (LAVTR) program.

AMBULANCE ATTENDANTS. We support allowing non-certified attendants to drive ambulances for inter-facility patient transfers with one attendant providing patient care. These staff should be trained to operate emergency vehicles. We continue to support the use of certified attendants for emergency situations.



FINANCE & TAXATION

Each city is unique in services provided and ability to pay for such services; maximum flexibility should be granted to local governing bodies to determine the amount and source of funding for city services. The League supports the long-established policies of balancing revenue from income, sales, and property taxes to assure the fiscal ability of the state and local governments to provide services citizens need.

TAX POLICY & SPENDING. Local spending and taxing decisions are best left to local officials representing the citizens that elected them. We oppose state-imposed limits on the taxing and spending authority of cities. Changes to tax policies should not be undertaken without a full understanding of the overall impact on all taxpayers, taxing entities, and the sources and amounts of revenues generated or eliminated by such policy changes.

PROPERTY TAXES. All property taxing authorities, including cities, counties, the state, school districts, special districts, and community colleges should be transparent, and abide by the same limitations, restrictions, and requirements. Any additional transparency measures should not be burdensome or costly. We encourage the state and local governments to make government more efficient and recognize the need to work together on innovative approaches to reduce property taxes.

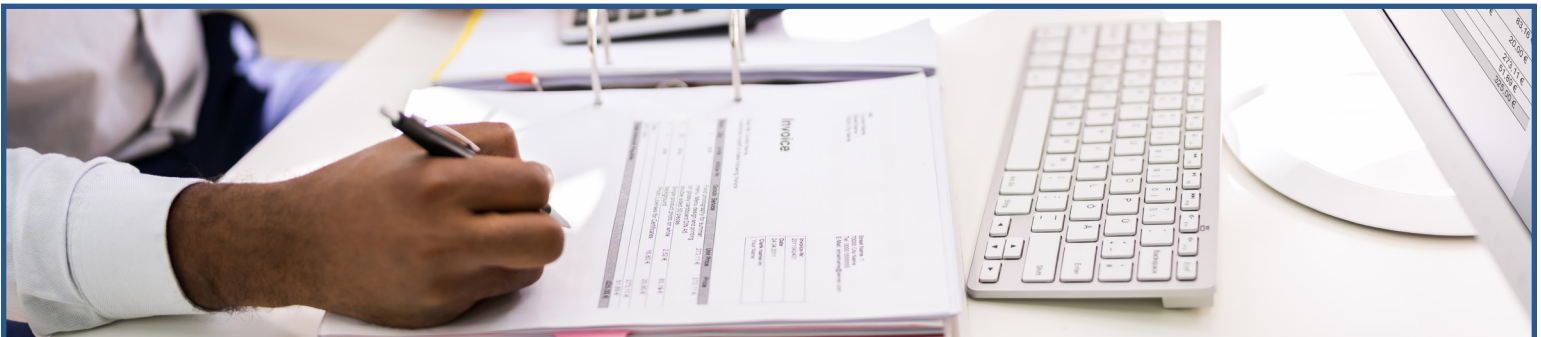
PROPERTY TAX EXEMPTIONS. We encourage the legislature to resist any proposal to further exempt any specific property classification from taxation, including industry-specific exemptions. We support the current statutory definition of machinery and equipment, and the exemption should not be expanded. The Legislature should review existing exemptions to determine if they should continue or be repealed.

SALES TAX & EXEMPTIONS. Cities should continue to be able to determine voter-approved local sales tax allocations. The Legislature is granted authority to make decisions relating to statewide sales tax. Local voters vote on and are granted authority to make decisions regarding local sales taxes. Any sales tax exemptions considered by the Legislature should only apply to the state portion of sales tax and not eliminate voter-approved local sales taxes.

PROPERTY VALUATION. We support appraisals based on fair-market value as historically used in Kansas. We oppose caps in property valuations and limitations on valuation methods that shift the property tax burden, benefiting one category of property to the detriment of all others, as unconstitutional and inequitable.

LAVTR. The state legislature, as required by statutes, should fund the Local Ad Valorem Tax Reduction (LAVTR) program.

COUNTYWIDE SALES AND USE TAXES. Since 1977, Kansas has successfully used a city-county revenue sharing formula for the benefit of all. The existing formula benefits city and county taxpayers and ensures there is a fair method to distribute funds generated primarily in cities and approved by voters. The Legislature should fund existing city and county revenue sharing programs as required by statutes.



SALES TAX REVENUE IN STAR BOND DISTRICTS.

The reduction and elimination of the state food sales tax threatens the viability of existing STAR Bond project districts that include groceries by eliminating a source of revenue pledged to repay the bonds. We support the creation of a long-term funding mechanism to ensure state reimbursement of lost funds caused by reduction and elimination of the state share of food sales tax in impacted STAR Bond districts.

REVENUES & SPENDING. We oppose any law requiring a city to spend a certain threshold to receive and maintain state dollars. All spending decisions should remain at the local level. Cities should be authorized to approve alternative revenue sources to maintain appropriate levels of funding for the health, safety, and welfare of citizens. Cities should be allowed to set financial policies in-line with bond rating requirements and other generally accepted best practices for municipal management.

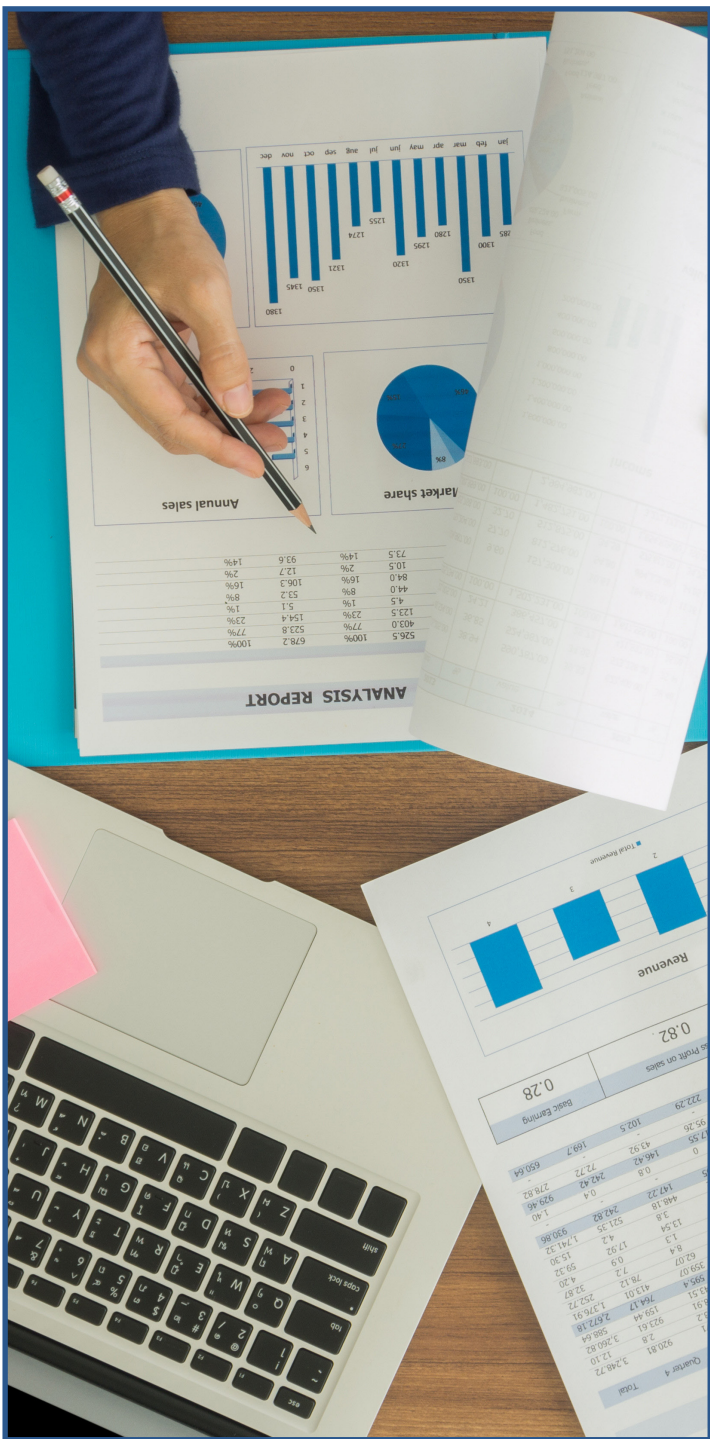
BUDGET TIMELINE. The current statutory framework for adoption of municipal budgets makes it difficult for cities to develop budgets that must be presented to governing bodies five months before the start of a fiscal year. We support legislation to allow the adoption of City budgets by November 30.

EMS/HOSPITAL FUNDING. We support expansion of Medicaid to allow hospitals and emergency medical services (EMS) access to federal funding, helping cities maintain and provide critical services for citizens. Absent Medicaid expansion, additional state funding needs to be made available to rural hospitals to retain businesses and employees and sustain the health and lives of Kansans.

UNFUNDED MANDATES & LOAN PROGRAMS.

We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates must be accompanied by an appropriate level of funding. We support changes to allow local governments to participate directly in federal loan programs.

LOCAL AUTHORITY. We support cities’ ability to impose and collect taxes and fees on telecommunications providers. All cities should have the same banking and investment authority the state grants itself. We support Kansas statutes being modernized to reflect revenue neutral rate requirements when determining a public library’s eligibility for state funding.





PUBLIC SAFETY

Cities play a critical role in the protection of the health and safety of citizens. Government at all levels should cooperate in the development of health and safety programs.

ASSET FORFEITURE. All assets forfeited, or proceeds of the sale of the same, should remain with the local government that seizes the property.

MUNICIPAL COURT. All assessed court funds under a municipal court order, other than restitution collected and payable to a third party and state assessments paid under K.S.A. 12-4117, should be retained by the local municipality. We support municipalities’ ability to set appropriate fines and fees.

EMERGENCY 911 SERVICES. Cities and counties should maintain local control of the 911 system. The 911 tax should continue to include wireline and wireless communications. We support legislation providing flexibility for local governments to utilize these funds to provide emergency services. 911 funds should not be diverted by the legislature for other uses.

EMERGENCY MANAGEMENT. Implementation strategies must promote cooperative efforts between federal, state, and local governments. Changes to the Emergency Management Act should consider the role of a city in responding to disasters.

MEDICAL CHARGES. The first person responsible for payment of medical costs should be the individual in custody. Clarification is needed that the entity charging for a crime is responsible in the event those costs cannot be recovered. We support the pooling of resources between state and local law enforcement agencies.

LAW ENFORCEMENT DISCRETION. We support local governments’ discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

SERVICE ANIMAL FRAUD. We support strengthening and redefining the crime of service animal fraud to disincentivize individuals from asserting an animal is a service animal to avoid vicious animals, exotic, livestock, or breed-specific ordinances.

ALCOHOL & CMB REGULATION. We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.

MEDICAL MARIJUANA. Medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana. Cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and not allow residential grow operations.

HOMELAND SECURITY. Local first responders are the front-line defense in the prevention and response to terrorism and security risks. Local governments should be granted maximum flexibility over implementation of monies and strategies regarding homeland security.

CYBERSECURITY. We encourage the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber- attacks on cities. Cities will use information provided by the state to determine best practices and policies for municipal implementation.

AMBULANCE ATTENDANTS. We support allowing non-certified attendants to drive ambulances for inter-facility patient transfers with one attendant providing patient care. These staff should be trained to operate emergency vehicles. We continue to support the use of certified attendants for emergency situations.

MENTAL HEALTH. We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

MEDICAL WORKFORCE INITIATIVE. Hospitals and Health Care Facilities are facing an alarming shortage of licensed medical and clinical staff who specialize in the medical and mental health treatment of individuals. We support additional state resources being put toward programs to recruit and retain Health Care Professionals. We support the development of a behavioral health tech certificate program at community or technical colleges. We also support the establishment of a rural psychiatric residency program.



INFRASTRUCTURE

Cities construct, manage, operate, and maintain numerous infrastructure components that provide a high quality of life. Infrastructure involving transportation, municipal utilities, energy services, and water and environmental structures are dependent on the ability of local officials to self-determine what’s appropriate for their communities. This relies on cooperation from state government and full funding as required by law under statutory programs from the state and federal governments.

TRANSPORTATION

CONNECTING LINKS. The State should maintain KDOT’s funding for connecting link programs at a minimum of the FY 2020 level for cities to provide for the maintenance of state highways within city limits. We support full funding of the City Connecting Link Improvement Program (CCLIP).

CITY-COUNTY HIGHWAY FUND. The City-County Highway Fund should be fully funded and not diverted for other purposes. Such funding should include the transfer of fees from the registration of out-of-state commercial vehicles, as directed by K.S.A. 9-3425i. Proceeds from increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.

COMPREHENSIVE TRANSPORTATION PROGRAM. We support a comprehensive transportation system that is safe, efficient, and accessible. The state should fully fund the Eisenhower Legacy Transportation Program (IKE) and cooperate with local governments to maintain and improve the state’s transportation infrastructure. We support continued development of multimodal transportation networks and local transportation districts that enable cities to develop transportation initiatives to advance these objectives.

MODERN TRANSPORTATION DEVELOPMENT. We support a modern and sustainable transportation system that meets the needs of all Kansans. The state should invest in expanding electric charging station infrastructure, enhancing airport facilities and services, developing recreational trails, and improving passenger and freight rail service. We also support changes to state law that make it easier and more affordable to develop these projects.

ELECTRIC CHARGING STATIONS. Any fees or taxes imposed on charging stations remitted to the state should be put into the Special Highway Fund, not the general fund.

UNIFORM TRAFFIC CODE. We support a comprehensive review and recodification of the Uniform Traffic Code.

MATCHING FUNDS. We support allocating surplus state fund revenues to cities to maximize federal discretionary grant funds.

UTILITIES

BROADBAND. Access to reliable broadband service is essential to the economic health of cities. We support establishment of Broadband grants to facilitate expansion. Guidance for the grant program and broadband-related statutes must recognize the important role local governments play in such expansion and not remove planning and right of way authority from local governments.

SERVICE TERRITORY. Municipalities must retain authority to purchase, construct, or extend infrastructure necessary to supply cities and their inhabitants with public utilities, including electric services. Cities should have the freedom and flexibility to grow and expand service territories.

MUNICIPAL OPERATION. We support the ability of cities to operate municipal gas, water, electric, sewer, telecommunications, broadband, solid waste, stormwater or other utility services. We further support the ability of cities to set and control the rates for locally owned and operated utilities.

RIGHT OF FIRST REFUSAL. We support municipal utilities having the ability to invest in new electric/transmission projects to provide reliable, affordable service to customers. We oppose efforts prohibiting competition for transmission projects.

FRANCHISE AUTHORITY. We oppose any legislation restricting the current franchise authority for cities, including limits on franchise fees.

MANDATES. Any mandates passed down to cities by the state or federal government on utility services should not be imposed without a cost-benefit analysis and accompanied by appropriate funding. Regulations should be reasonable in overall scope and timing of implementation.

RIGHT-OF-WAY. Cities must maintain the ability to regulate public right-of-way and recover reasonable compensation for use of the right-of-way. Kansas policy should not be dictated by federal mandates. We oppose efforts to codify at the state level federal directives limiting cities' powers.

ENERGY

ELECTRIC UTILITY DEREGULATION. Community-owned and operated municipal electric utilities make long-term power supply decisions and investments to benefit the overall community. We support continued local control over power supply decisions.

STATEWIDE ENERGY POLICY. We support development of a coordinated and comprehensive Energy Plan. Further, we support creative and cooperative implementation of renewable energy and energy efficient technologies that are environmentally sustainable and economically successful. We support public and private incentives to encourage energy efficiency and renewable energy.

BUILDING CODES. Cities should continue to be allowed to shape local codes to incentivize net zero or net-zero ready building requirements.

PROPANE. We support cities' authority to protect public safety by regulating the capacity of propane units/facilities for residential or commercial purposes.

WATER AND ENVIRONMENT

WATER QUALITY. We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse regional and cooperative solutions to water quality challenges that address point and non-point source pollution while balancing municipal cost concerns.

WATER QUANTITY. We support efforts to extend the life of reservoirs and expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address surface and groundwater resources while respecting priority of water rights. Water rights management tools that have been developed in recent years should be modified or expanded so they provide the same type of flexibility and authority to any water rights holder regardless of class.



PUBLIC WATER SUPPLY SUPERVISION PROGRAM. We support changes to the statutory language increasing the funding stability for the Kansas Department of Health and Environment's Public Water Supply Supervision program. These changes must balance municipal concerns while recognizing the state has a responsibility to contribute to these public health matters.

WATER PLANNING. We support increased municipal representation on the Kansas Water Authority; broad-based revenue sources and distribution for the state Water Plan Fund; and a re-evaluation of the process for adopting the annual state Water Plan Fund budget.

INFRASTRUCTURE FUNDING. We support increased federal and state funding to assist local communities with water, wastewater, stormwater, levee and dam infrastructure and associated security needs. We call for loan terms of up to 40 years when the usable lifespan of an improvement will exceed the term of the loan.

STORMWATER MANAGEMENT. We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution. We further endorse state measures to incentivize and enable investment in green infrastructure to support sustainable communities.

SOLID WASTE. Home rule powers of cities to dispose of and manage municipal solid waste should not be restricted. This includes recycling, electronic waste and composting programs.

HAZARDOUS WASTE. We support a comprehensive state and local cooperative approach to provide assistance in identifying hazardous waste and to develop programs to monitor and dispose of such waste. Appropriate education and training should be provided prior to implementation of such programs.

CLEAN AIR. We support a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.

WATER AND WASTEWATER CERTIFICATION. We support improved certification programs that align necessary skillsets for real-world water and wastewater system operation with the content of the corresponding exams. We support review of water and wastewater certification to ensure validity and reliability. We encourage contracting and collaboration to help utilities acquire the knowledge, skills, abilities, and certifications needed to effectively serve rate payers.





HUMAN RESOURCES

City employees are the foundation of city government. City governing bodies must have authority to develop local personnel policies to attract and maintain a high-quality workforce.

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.

KPERS & KP&F. We support full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honoring all commitments made by KPERS and KP&F. The local KPERS system should remain separate from the state and school retirement system. Changes to the KPERS system should support a city’s ability to hire and retain qualified public employees, including any undue burden on hiring KPERS retirees, or reduce benefits promised to employees.

PUBLIC EMPLOYER-EMPLOYEE RELATIONS ACT (PEERA)/COLLECTIVE BARGAINING. We oppose any federal or state mandate requiring collective bargaining at the local level.

MANDATES. We oppose state and federal mandates involving public personnel. We oppose federal and state mandates requiring or prohibiting the payment of prevailing wages.

WEAPONS AND FIREARMS. We support the ability of local governments to set policies regarding the carrying of weapons and firearms by municipal employees while engaged in their work.

HEALTH CARE & OTHER BENEFITS. We support cooperation and study of ways to relieve the financial burden of securing employee health care coverage, including the continued option for cities to participate in the state health care program.

UNEMPLOYMENT. We support reasonable and just benefits for employees who are qualified individuals under the Kansas Employment Security Law. We oppose the finding that volunteers, who are paid a nominal stipend, are considered qualified individuals. We support legislation to define “volunteer” in Kansas employment law that is consistent with federal law.





GOVERNMENT POLICIES & PROCEDURES

Section I, Item D.

A biding by constitutional Home Rule, there is a need to ensure local governments maintain autonomy and the authority of self-governance to create a safe and sustainable quality of life for residents.

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

GOVERNMENT COMPETITION. Local governments should retain local control over the services they provide to their residents and businesses. Free markets are the best vehicle for allocating goods and services. However, there are circumstances where the free market does not efficiently allocate goods and services, creates externalities that endanger public safety and welfare, or simply does not provide a service. In these instances, it falls to local government to respond to the needs of the people to provide the good or service. In addition, local governments provide services for the sole benefit of their residents and should continue to receive tax benefits to provide those services at a low cost.

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

POLICE POWERS. We support the authority of cities to regulate to protect the health, safety, and welfare of the public.

NON-DISCRIMINATION. We oppose discrimination against any person by reason of their race, color, religion, sex (including pregnancy, gender identity, or sexual orientation), age, national origin, ancestry, disability, military/veteran status, or genetic information.

CITY ELECTIONS. We oppose any actions by the state government to impose partisan elections on cities. All cities have the authority to make this decision for their community, and each city, in consultation with its citizens, should make that determination.

FILING FOR OFFICE. To encourage a higher number of candidates to file for office, we support the filing location for city elections being available in the city clerk's office. The state should evaluate remote filing options.

FILLING OF VACANCIES. Vacancy filling should remain the responsibility of local governing bodies made up of duly elected officials.

ANNEXATION. We support local jurisdictions' ability to make their own decisions regarding orderly growth through annexation.

SIGN REGULATION. We support the authority of local government to regulate signs in compliance with federal law.

PUBLIC PROPERTY & RIGHTS-OF-WAY. We support the right of cities to control and manage public property and rights-of-way and to impose franchise or use fees on entities that utilize rights-of-way.

EMINENT DOMAIN. We support flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.

GOVERNMENTAL IMMUNITY. We support continued immunity for cities from tort liability and legislation strengthening the Kansas Torts Claims Act.

INTERLOCAL COOPERATION. We support the principle of voluntary cooperation among all levels of government.

CITY/COUNTY CONSOLIDATION. We support processes for local consolidation without undue statutory barriers. Voters should be allowed to determine whether consolidation with another unit of government occurs.

PRIVATE CEMETERY LIABILITY. We support removing the requirement for cities to care for and maintain formerly private cemeteries that have been dissolved.

COMMUNITY DEVELOPMENT

HOUSING. The League supports programs that encourage access to quality housing, including but not limited to, the Housing Investor Tax Credit Act, the Kansas Affordable Housing Tax Credit Act, the Kansas Rural Home Loan Guarantee Act, guaranteeing appraisals in rural counties, the Historic Kansas Act, and the Kansas Rural Housing Incentive District Act.

RURAL HOUSING INCENTIVE LOAN FUND. We support the creation of a State low interest revolving loan fund to finance development in Reinvestment Housing Incentive Districts.

ABANDONED AND BLIGHTED HOUSING. We support streamlining and expediting the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance, foreclosed housing, and commercial structures to protect the rights and property values of surrounding property owners. Cities should continue to retain the ability to manage vacant property registry programs to counter blight.

HOUSING-RENTAL INSPECTIONS. We support giving cities authority to require inspections of rental housing for the safety of tenants and to protect the rights and property values of surrounding property owners.

REVITALIZATION TOOLS. We support continued use of the Neighborhood Revitalization Act, Downtown Redevelopment Act, Transportation Development District Act and Community Improvement District Act to promote local neighborhood development.

ECONOMIC DEVELOPMENT PARTNERSHIPS. State and regional partnerships are vital to the sustained growth of the state and should be supported by policy and with adequate funding.

TAX ABATEMENTS. We support the authority of cities to offer tax abatements to encourage business investment in communities.

TAX INCREMENT FINANCING (TIF). We support the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility for efficient use by communities.

STAR BONDS. We support the ability of cities to utilize STAR bonds to promote economic development in communities.

LAND USE AND ZONING. We support the ability of local officials to make land use and zoning decisions within their community, including decisions about location, placement, size, appearance, and siting of transmission and receiving facilities and any other communications facilities.

BUILDING CODES. We oppose any measures to preempt local building codes.

TOURISM. We support cooperative ventures between state and local government to promote tourism as an industry vital to growth and development.

TAX CREDITS. We support the continued availability of tax credits as a tool for economic development.

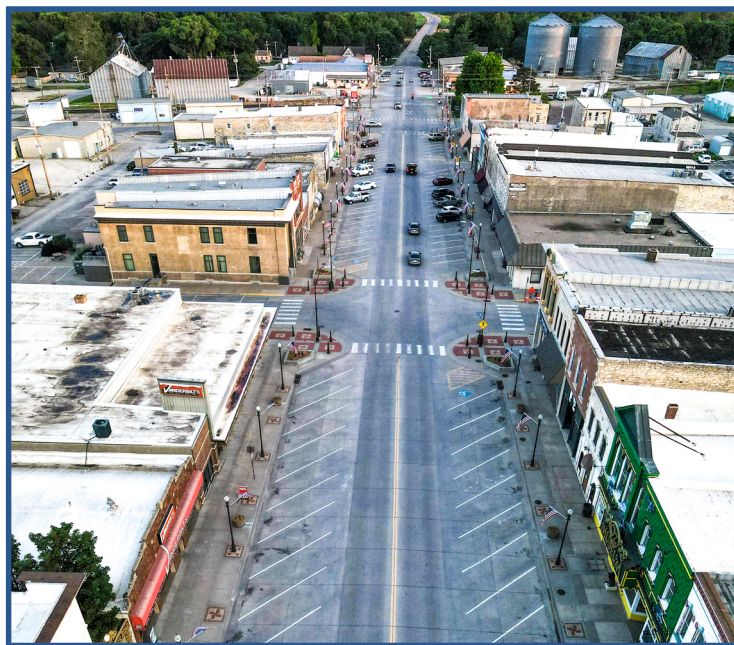
TRANSPARENCY IN GOVERNMENT

OPEN MEETINGS. All levels of government should be subject to the same open meetings requirements. These laws should not be unduly burdensome.

OPEN RECORDS. All levels of government should be subject to the same open records requirements. State laws governing open records should balance the public's right of access, with the necessity of protecting the privacy of individual citizens, and the ability of public agencies to conduct essential business functions. We support a city's ability to recoup reasonable costs associated with requests.

INTERGOVERNMENTAL DIALOGUE. We support current law regarding the use of state and local public moneys to provide information and advocate on behalf of our cities and citizens. Any reporting system should not increase the administrative burden on local governments.

BODY CAMERAS. We support the ability of local governments to determine when and how body cameras will be used by law enforcement officers, including the regulations concerning public access to those recordings, balancing the needs of law enforcement and the individuals whose images are captured in the recordings.



Relationships Are the Cornerstone of Effective Advocacy



1
Make Contact Before Legislative Session

- Eggs & Issues, town halls, etc.
- Communicate the city's agenda and priorities.
- Invite them to a League Legislative Dinner.



2
Follow the Legislative Session

- League News
- List servs
- News media
- www.lkm.org



3
Participate in Local Government Day January 24, 2024

- Make appointments to visit with your legislators in the morning.
- Invite them to the League reception.



4
Make Contact During Legislative Session

- Watch for alerts about key bills/issues.
- Follow the issue, not the bill number.
- Be specific; give your city's unique insight into the legislation.
- Don't waste time and political capital on meaningless bills that have no chance of becoming law.



5
Make Contact Following the Legislative Session

- Thank your legislator for their hard work.
- Be honest and express concern when bills negatively affect your city.

- Know your legislators on a first-name basis
- Always be respectful and avoid personal attacks
- Ask your legislator how he or she prefers to be contacted (email, phone, texts, etc.)
- Share your contact information
- Follow legislators' communications
- Sign up for emailed newsletters
- Follow legislators' social media accounts
- Send legislators your newsletter/updates

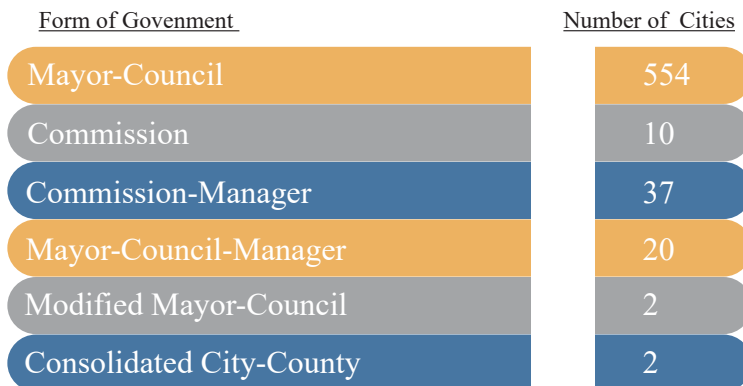
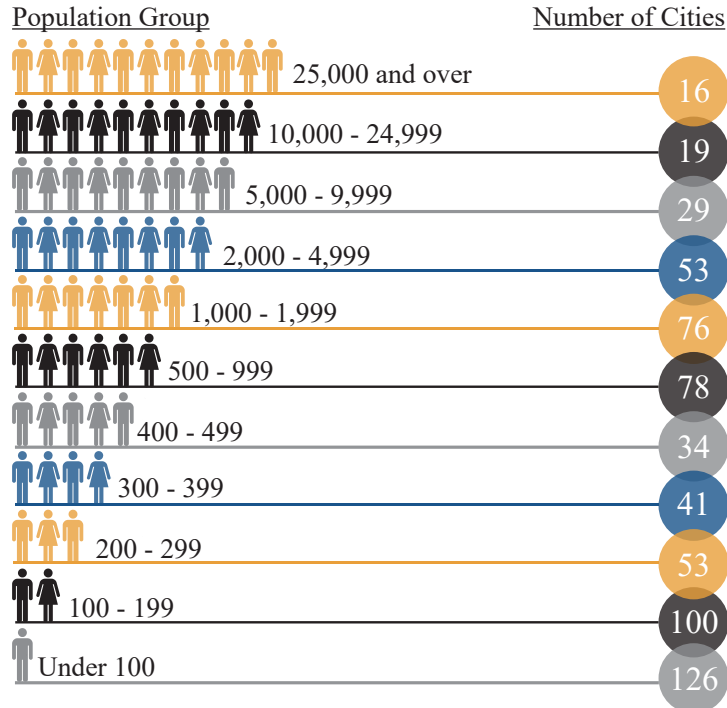
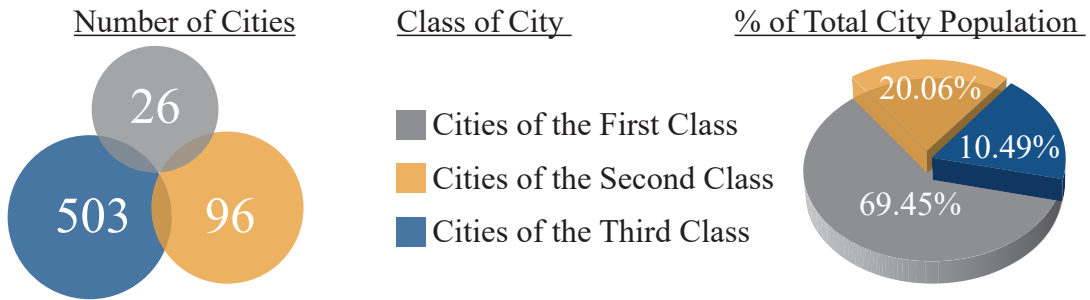
CITY FACTS

Total Number of Incorporated Cities = 625

Total Population of the State = 2,937,150

Total City Population = 2,443,840

83.20% of the state's population resides in an incorporated city.





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POLICY DEVELOPMENT

This *Statement of Municipal Policy* was developed by city officials through the League’s policy committees. There are three policy committees that are focused in specific areas: Finance & Taxation, Public Officers & Employees, and Utilities & Environment. The fourth committee, the Legislative Policy Committee, reviews the entire *Statement* and the recommendations of the three specific committees. The *Statement* is then submitted to the Governing Body and is ultimately adopted by the Convention of Voting Delegates at the League’s Annual Conference. For more information about the League policy committees or process, check out the League website at www.lkm.org or contact us at (785) 354-9565.

THE LEAGUE ADVOCATES FOR CITIES

The League advocates on our members' behalf to sponsor and encourage beneficial legislation for cities and oppose legislation that would be detrimental to our members' interest.



THE LEAGUE OFFERS GUIDANCE

Member cities can contact the League with a legal inquiry or question. Additionally, we provide sample ordinances and guidance on legislation and rulemaking from both the state and federal level.

COMMUNICATIONS & OUTREACH

Since 1914, the League has published the *Kansas Government Journal*, a publication for city, county and state government officials that is printed six times a year. The League publishes a weekly e-newsletter, researches municipal issues affecting Kansas communities and develops programs for cities to use to engage their residents and reinforce the importance of civic engagement.



MUNICIPAL TRAINING & EDUCATION

The League offers members a variety of education and training opportunities throughout the year. Our annual conference brings together leaders in municipal government to offer innovative ideas for cities. Throughout the year, the League works with professionals in the field to train, inspire and solve problems facing municipal leaders at all levels. The League offers over 30 manuals and publications on municipal issues ranging from finance and budgeting, personnel, planning, economic development, open meetings and open records to traffic ordinances.

CONTRACT SERVICES

The League offers members a competitive rate to have the League engage in contract services, which include codification services, executive personnel search program (LEAPS) and personnel policies.





THE
LEAGUE
OF KANSAS MUNICIPALITIES
300 SW 8th Avenue, Suite 100
Topeka, KS 66603
(785)354.9565
www.lkm.org



2024 Legislative and Policy Priorities

REAP’s purpose is to provide a unified voice for the region at the state and national level to advance greater economic prosperity from regional cooperation and address issues that cross political boundaries. The following issues have been identified by members of REAP to help grow the economy in South Central Kansas.

REGIONAL JOB GROWTH & BUSINESS EXPANSION

- REAP supports state investments targeting workforce development and skills training strategies in high-demand areas vital to job growth in South Central Kansas including, but not limited to:
 - Excel in CTE
 - Work Based Learning for High School Students
 - Expansion of Registered Apprenticeship
- REAP encourages state support for the Kansas Air Service Development (KASD) program to expand commercial air service and enhance the competitiveness of all commercial airports in Kansas including Eisenhower National Airport.
- REAP supports increased need-based aid funding for first generation or non-traditional students aiming for higher education to bolster workforce talent.
- REAP supports public policy that increases access for workers to quality and affordable childcare opportunities to increase labor force participation.
- REAP supports economic development incentives, programs, and tools to keep the state competitive regionally, nationally and globally.

HEALTH & SAFETY

- REAP encourages additional investments to address access to mental health support and treatment, beginning with youth and serving all age groups, as well as the associated facilities in South Central Kansas.
- REAP supports innovative partnerships among state and local governments to address the issues of unhoused in South Central Kansas.

REGIONAL INFRASTRUCTURE

- REAP encourages utilization of available federal funding to support infrastructure investments in broadband, water and wastewater systems, resiliency in the energy industry, cybersecurity protections and enhancing the regional transportation network.
- REAP is a member of the South-Central Kansas Transportation Coalition and supports the regional projects identified as priorities for growing the regional economy and vital to business and industry.
- REAP supports state funding for existing freight rail service and expansion of passenger rail in Kansas, specifically passenger rail service expanding the Heartland Flyer from Dallas/Ft Worth and Oklahoma City connecting through Wichita to Newton and the Southwest Chief.
- REAP supports policies and strategies to protect water resources critical to the economy of South Central Kansas including protection of the Equus Beds Aquifer that supplies water for

- 20% of the Kansas population.
- REAP encourages equitable representation on the Groundwater Management District 2 (GMD2) Board of Directors.
- REAP recognizes the importance of energy to the regional economy and supports access to, and production of a variety of energy sources from oil, natural gas, and hydrogen to clean energy to help drive economic development while providing affordable, reliable power.

LOCAL GOVERNMENT

- REAP favors maintaining existing Home Rule protections.

FEDERAL GOVERNMENT

- REAP supports full funding for employment and skills training projects like the Workforce Innovation and Opportunity Act (WIOA) to enhance sector-based partnerships to meet the needs of employers and job seekers in South Central Kansas.
- REAP supports federal funding for expansion of passenger rail in Kansas, specifically expanding the Heartland Flyer from Dallas/Ft Worth and Oklahoma City connecting through Wichita to Newton and the Southwest Chief.

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January __, 2021
Title [Name of Representative or Senator]
300 SW 10th Ave #511
Topeka, Kansas 66612

Dear _____,

The City of Bel Aire’s governing body recently met to rank our legislative priorities for the 2021 legislative session. Bel Aire City Council officially adopted the following legislative policy at our January 19th meeting. As one of the fastest growing cities in Kansas, Bel Aire is focused on maintaining a high quality of life for residents by providing public safety coverage, street improvements, and community amenities--without raising local taxes. With that in mind, our Governing Body respectfully requests your support in repealing the tax lid, preserving home rule, backing K-254 infrastructure funding, mental health provisions, and public safety.

1. **Tax Lid Repeal:** Any tax lid limits cities ability to legislate and spend funds that are raised locally. The current tax lid is a hindrance to Bel Aire and our spending abilities. Property taxes make up forty percent of the City of Bel Aire’s total revenues. These funds are used to provide local public safety, maintain public parks & recreational facilities, and to repair and improve streets. Each year, the City’s budget process focuses on maintaining high service delivery levels while being as efficient as possible with tax payer money. The result has been no tax rate (mill levy) increases over the last five years and no increases are anticipated for the near future. When new homes are constructed in Bel Aire, additional tax revenues are generated due to the assessed valuation (total value of all property within the City) increasing. However, the large increase in growth requires new infrastructure, more public improvements and public safety additions that outpace the CPI. The demand for municipal services continues to increase as we grow in population. Having a restrictive tax lid in place greatly inhibits our ability to provide an appropriate level of service to a growing city. **We urge you to leave local tax and spending decisions to local elected officials who ultimately answer to our local voters.**

2. **Home Rule and Properly Funded Mandates:** Home Rule is key to the success of cities to govern themselves based on citizen input and desires. 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. Any state or Federal mandates should heavily consider the Home Rule Amendment *and* be properly funded. Legislative requirements from the state or federal governments imposed on cites without proper funding negatively impacts the budgets of cities. **Strongly support home rule. Oppose any legislative mandates unless properly funded.**

3. **K254 Public Infrastructure:** Regional and local growth for southcentral Kansas are tied into State support of prioritizing K-254 safety and infrastructure improvements. Bel Aire values the promotion of safety, economic development, growth, road improvements and other infrastructure related objectives along K-254 in the interest of the public good.
4. **Mental Health:** Support the State prioritizing the allocation additional resources for mental health programs and studying solutions to this Statewide problem (pp 5 & 9).
5. **Law Enforcement and Public Safety:** Our police department is committed to treating each person they encounter with dignity and respect. The police department has appropriate policies on the use of force, officer intervention, and training for critical situations already in place.
 - **Police Body/Vehicle or Other Camera Videos:** The desire for public transparency needs to be balanced with the need to protect the innocent and assure the cities are not unduly burdened. Additionally, the redaction process required before a video is released pursuant to a court order or subpoena is an expensive and time-consuming process. Whether the order is from a local, state or federal court, there must be adequate personnel, time, and reasonable reimbursement before the release of video evidence.

Our governing body is more than willing to meet with you to discuss how these outlooks can make our community and our State better. We would welcome an email or call if you need additional information from us on specific issues. My email is JBenage@belaireks.gov and I can be reached at (316) 684-0226.

Thank you in advance for taking the time to understand and champion these priorities on behalf of the City of Bel Aire. Our citizens truly appreciate your time and commitment as our Senator/Representative. You continue to be a strong supporter and friend of Bel Aire which is a great honor. Thank you for all you do in Topeka.

Respectfully,

Mayor Jim Benage

January __, 2022
Title [Name of Representative or Senator]
300 SW 10th Ave #511
Topeka, Kansas 66612

Dear _____,

The City of Bel Aire’s governing body recently met to rank our legislative priorities for the 2022 legislative session. Bel Aire City Council officially adopted the following legislative policy at our January 18th meeting. Bel Aire continues to be one of the fastest growing cities in Kansas, and is committed to maintaining a high quality of life for residents through careful local stewardship. We appreciate your work on, repealing the tax lid, limiting unfunded mandates and supporting mental health. Your support of these 2021 priorities makes a difference to our residents. This year the Governing Body respectfully requests your support maintaining the Countywide Sales and Use Taxes structure, amending the Senate Bill 13 burdensome notice requirements, affirming home rule, backing K-254 infrastructure funding, and supporting State funding for mental health facilities and programs.

1. **Countywide Sales and Use Taxes: Support keeping the current city-county revenue sharing formula in place to benefit all.** The existing formula benefits both city and county tax payers and ensures there is a fair, predictable and consistent method to distribute funds that are generated primarily in cities.

2. **Property Taxes:** Any tax lid limits cities ability to legislate and spend funds that are raised locally. The current tax notice requirement are intended to foster transparency, but are structured to be burdensome and costly. After 2022 cities will be required to pay for these additional notices from local funds. **We encourage changing the Senate Bill 13 notice requirement to make this noticed process less complex and burdensome while still preserving the goal of transparency. This may be accomplished by requiring a single publication in the official newspaper, in lieu of individual notices every time property taxes are adjusted.**

3. **Home Rule and Properly Funded Mandates:** Home Rule is key to the success of cities to govern themselves based on citizen input and desires. 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. Any state or Federal mandates should heavily consider the Home Rule Amendment *and* be properly funded. Legislative requirements from the state or federal governments imposed on cities without proper funding negatively impacts the budgets of cities. **Strongly support home rule. Oppose any legislative mandates unless properly funded.**

4. **K254 Public Infrastructure: Support state prioritization of K-254 safety and infrastructure improvements and recommend the selection of K254 for IKE Transportation funding.** Studies have shown that regional and local growth for southcentral Kansas are tied improving the K-254 infrastructure. Bel Aire values the promotion of safety, economic development, growth, road improvements and other infrastructure related objectives along K-254 in the interest of the public good.

5. **Mental Health: Support the State prioritizing the allocation additional resources for mental health programs** and studying solutions to this statewide problem. Funding should be allocated for community mental health centers and additional bed space for patients with mental health issues.

Our governing body is more than willing to meet with you to discuss how these outlooks can make our community and our State better. We would welcome an email or call if you need additional information from us on specific issues. My email is JBenage@belaireks.gov and I can be reached at (316) 684-0226.

Thank you in advance for taking the time to understand and champion these priorities on behalf of the City of Bel Aire. Our citizens truly appreciate your time and commitment as our Senator/Representative. You continue to be a strong supporter and friend of Bel Aire which is a great honor. Thank you for all you do in Topeka.

Respectfully,

Mayor Jim Benage

January 18, 2023

[Senator/Representative]
300 SW 10th Ave, Room _____
Topeka, Kansas 66612

Dear [Senator/ Representative] _____,

The City of Bel Aire appreciates your continued support for legislative priorities that improve the quality of life of citizens in our community. We are one of the fastest growing cities in Kansas, because we are committed to maintaining the high quality of life our residents enjoy through careful local stewardship.

These priorities remain very important to our community, and we ask for your continued support in these specific areas during the 2023 session; **protecting the current city-county revenue sharing formula, advocating for simplifying the property tax notification process, providing mental health funding for our region and, highlighting the need for improving K-254.** We concur with the policy statements that the League of Kansas Municipalities and REAP provided to you regarding these topics. We also support their statements regarding **the need for municipal representation in Ground Water Management District 2 and the need to extend wastewater loans to 30 year terms instead of the current 20 year terms.**

This year Bel Aire has identified the following important emerging areas and respectfully requests your help though legislation:

1. **K254 Public Infrastructure: Voice your support for the progress of the K-254 corridor management study beginning in 2023. Your support is key to helping ensure the K-254 project is included in the development pipeline for the IKE Transportation Plan. Studies have shown that regional and local growth for southcentral Kansas are tied to improving the safety and infrastructure of K-254.**
2. **County Fire Districts: Change State statutes to require that fire district board representatives live in the area served by the fire district they represent. Currently, the county fire district representatives are county commissioners who may or may not be served by the fire district they represent. This change would allow for direct representation --whether elected or appointed, decisions should be made by the people who are directly impacted by the performance and efficacy of their fire districts.**
3. **Advisory Questions on Electorate Ballots: Pass legislation allowing municipal governing bodies the ability to present our constituents advisory questions through election ballots. The law is silent on this matter, and the Secretary of State relies on an outdated Attorney General Opinion. By explicitly requiring the Election Commissioner to include an additional section of the election ballot for non-binding questions upon a city’s request, these local matters can be presented to the public during the regular election -- when voters are most engaged. The City of Bel Aire**

supports ensuring advisory questions are clearly distinct from binding questions. We want voters to understand the essential differences, but it is a failure to all-together disallow advisory questions from being a part of our county run elections. Please support local engagement by passing legislation to allow the addition of advisory questions to elections overseen by the Secretary of State's county election offices.

Finally, please view every priority listed here through the lens of home rule: we will support legislation that strengthens home rule and oppose legislation that erodes our constitutional home rule authority.

Our governing body is more than willing to meet with you to discuss how these outlooks can make our community and our State better. We would welcome an email or call if you need additional information from us on specific issues. My email is JBenage@belaireks.gov and I can be reached at (316) 684-0226.

Thank you in advance for taking the time to understand and champion these priorities on behalf of the City of Bel Aire. Our citizens truly appreciate your time and commitment as our Representative. You continue to be a strong supporter and friend of Bel Aire which is a great honor. Thank you for all you do in Topeka.

Respectfully,

Mayor Jim Benage

January 16, 2024

[Senator/Representative]
300 SW 10th Ave, Room _____
Topeka, Kansas 66612

Dear [Senator/ Representative] _____,

The City of Bel Aire appreciates your continued support for legislative priorities that improve the quality of life for citizens in our community. As one of the fastest growing cities in Kansas, we are committed to maintaining the high quality of life our residents enjoy through careful local stewardship.

These priorities remain very important to our community, and we ask for your continued support in these specific areas during the 2024 session; **protecting the current city-county revenue sharing formula, advocating for simplifying the property tax notification process, providing mental health funding for our region and, highlighting the need for improving K-254.** We concur with the policy statements that the League of Kansas Municipalities and REAP provided to you regarding these topics. We also support their statements regarding **the need for municipal representation in Ground Water Management District 2 and the need to extend wastewater loans to 30 year terms instead of the current 20 year terms.**

For 2024, Bel Aire has identified the following important emerging areas and respectfully requests your help though legislation:

1. **Government Competition.** Local governments should retain local control over the services they provide to residents and businesses.
2. **City Elections.** We oppose any actions by the state government to impose partisan elections on cities.
3. **Sales Tax & Exemptions.** Cities should continue to retain voter-approved local sales tax allocations
4. **Property Valuation.** We support appraisals based on fair-market value as historically used in Kansas
5. **EMS/Hospital Funding.** We OPPOSE expansion of Medicaid.
6. **Asset Forfeiture.** All assets forfeited, or proceeds of the sale of the same, should remain with the local government that seizes the property.
7. **Medical Marijuana.** Medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees and receive a portion of any state funds to offset the impact of medical marijuana.
8. **Modern Transportation Development.** We support a modern and sustainable transportation system that meets the needs of all Kansans.
9. **Broadband.** Access to reliable broadband service *is may be* essential to the economic health of cities.
10. **Water.** Access to water is paramount for the growth and viability of communities. Government at all levels should pursue the conservation, protection, and development of current and future water supplies to ensure access to clean, safe, and affordable

11. Day Light Savings Time. The biannual switching of time from Central Standard Time (CST) to Daylight Savings Time (CDT) has been documented to increase health risks (heart attacks, strokes, etc.) and higher incident of traffic accidents (some fatal).

Finally, please view every priority listed here through the lens of home rule: we will support legislation that strengthens home rule and oppose legislation that erodes our constitutional home rule authority.

Our governing body is more than willing to meet with you to discuss how these outlooks can make our community and our State better. We would welcome an email or call if you need additional information from us on specific issues. My email is JBenage@belaireks.gov and I can be reached at (316) 684-0226.

Thank you in advance for taking the time to understand and champion these priorities on behalf of the City of Bel Aire. Our citizens truly appreciate your time and commitment as our Representative. You continue to be a strong supporter and friend of Bel Aire which is a great honor. Thank you for all you do in Topeka.

Respectfully,

Mayor Jim Benage

MANAGERS REPORT



DATE January 5, 2024
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: January 9 Workshop

IT Systems Upgrade:

As you are aware, we had an email issue that occurred last month which came through our website. That issue was resolved by our website management company but our systems IT, Imagine IT, has an additional fix that could ensure such an issue doesn't happen again. Staff has requested a representative attend the workshop to explain the product and answer any questions.

PEC Assistance:

We have discussed numerous times the growth occurring and the stress that is placing on our staff. PEC is already being utilized to assist with many projects including comp plan, engineering review, etc. Staff have been meeting with PEC to create a consulting agreement whereby PEC would be available to assist with almost any need that might arise and staff does not have the time or expertise. This would include planning, zoning, engineering, project management, etc. The City would pay a monthly retainer that would give us access to a number of professionals, depending on the need for that month. Staff would like to discuss the proposal.

Police – Vehicle Replacement:

Annually, PD budgets to replace a patrol vehicle. Due to COVID and other supply chain issues, police vehicles have been hard to get. In fact, two vehicles were acquired in 2023 due to orders being cancelled from 2021. PD has a supplier with two new vehicles available so Chief Atteberry will be at the workshop to discuss this opportunity.

2024 Bel Aire Legislative Agenda:

The legislation season is upon us once again at the state and federal levels. Each year, both legislative bodies meet to consider new legislation. Often, bills are introduced that can negatively or positively affect the City of Bel Aire. The League of Kansas Municipalities (LKM) creates a legislative platform and helps lobby for cities. The Regional Economic Area Partnership (REAP), which

represents south central Kansas, also creates a legislative platform. In the past, the governing body reviewed the League and REAP platforms to identify a list of five priorities that are most important for Bel Aire. Included in your packet are the 2021- 2023 Bel Aire priorities as well as 2023 REAP / LKM platforms. Mayor Benage started the 2024 priorities with 11 for discussion and inclusion. Once Council has determined a list of priorities, staff will create a letter for final review and approval. The letter will then be sent to all our representatives in Topeka and Washington. Staff will also use these priorities when speaking individually with legislators for supporting / opposing legislation that comes up daily.