

**City of Mission
Regular Meeting Agenda
Wednesday, January 17, 2018
7:00 p.m.
Mission City Hall**

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

Appointment

- Ken Davis, Ward IV Councilmember

PUBLIC HEARING

1. SPECIAL PRESENTATIONS

- Update from Consolidated Fire District No. 2, Chief Lopez

2. ISSUANCE OF NOTES AND BONDS

3. CONSENT AGENDA

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

CONSENT AGENDA - GENERAL

- 3a. [Minutes of the January 8, 2018 Special City Council Meeting](#)

CONSENT AGENDA - Finance & Administration Committee

[Finance & Administration Committee Meeting Packet 1-10-18](#)

[Finance & Administration Committee Meeting Minutes 1-10-18](#)

- 3b. Resolution - Destruction of Records

CONSENT AGENDA - Community Development Committee

[Community Development Committee Meeting Packet 1-10-18](#)

[Community Development Committee Meeting Minutes 1-10-18](#)

COMMUNITY COMMITTEE REPORTS

Approved Minutes from Board and Commission meetings are available on the City of Mission website under the "[Agendas & Minutes](#)" tab.

4. PUBLIC COMMENTS

5. ACTION ITEMS

Planning Commission

Miscellaneous

6. COMMITTEE REPORTS

Finance & Administration, Nick Schlossmacher

[Finance & Administration Committee Meeting Packet 1-10-18](#)

[Finance & Administration Committee Meeting Minutes 1-10-18](#)

6a. 2018 Legislative Program ([page 4](#))

Community Development, Kristin Inman

[Community Development Committee Meeting Packet 1-10-18](#)

[Community Development Committee Meeting Minutes 1-10-18](#)

7. UNFINISHED BUSINESS

8. NEW BUSINESS

9. COMMENTS FROM THE CITY COUNCIL

10. MAYOR'S REPORT

Appointments

Parks, Recreation & Tree Commission:

- Karin Capron, Ward II - Reappointment
- Dahnika Short, Ward II - Reappointment
- Nathan Dormer, Ward III - Reappointment
- David Schwenk, Ward III - Reappointment
- Erin Beaslin, Ward IV - Reappointment
- Jacque Gameson, Ward IV - Reappointment

Sustainability Commission:

- Terri Baugh, Ward I - Reappointment
- Sean Partain, Ward II - Reappointment
- David Greenlee, Ward III - Reappointment
- John Arnett, Ward IV - Reappointment

Appointment of City Officials:

- Keith Drill, Municipal Court Judge
- Jeffrey Austin, Municipal Court Judge Pro-tem
- David Bell, Municipal Court Judge Pro-tem
- Peter Simonsen, Municipal Court Judge Pro-tem

Appointment of Bond Counsel, Financial Advisor, and Land Use Attorney:

- Gilmore & Bell, Bond Counsel (Contract expires January 16, 2019)
- Ehlers, Inc., Financial Advisor (Contract expires January 16, 2019)
- Pete Heaven, Spencer Fane, Land Use Attorney (Contract expires January 16, 2019)

11. CITY ADMINISTRATOR'S REPORT

EXECUTIVE SESSION

ADJOURNMENT

City of Mission	Item Number:	6a.
ACTION ITEM SUMMARY	Date:	December 29, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: City of Mission 2018 Legislative Program

RECOMMENDATION: Adopt the 2018 Legislative Program for the City of Mission.

DETAILS: Each year the City of Mission adopts policies and priorities for the upcoming State legislative session. Additional issues or concerns may be addressed throughout the session as bills are introduced, but this document is helpful in communicating the City’s general position to our legislators. Once approved, a copy of the Program will be provided to all of our legislators.

As in the past, the 2018 Program includes some issues that have been adopted by the County and agreed to by most Johnson County cities. Where there is overlap between Mission’s Program and that approved by the County, it has been noted with an asterisk.

The Joint 2018 County/City State Legislative Program is included for your information along with the *2018 Statement of Municipal Policy* prepared by the League of Kansas Municipalities.

MEETING UPDATE:

At the Committee meeting, several additional issues were discussed for potential inclusion in the 2018 Legislative Program. Ms. Smith proposed an amendment to the Tax Lid issue to clarify the previous language.

Ms. Flora suggested additional language be added to the K-12 Education position indicating Mission’s opposition to a Constitutional amendment that would remove the State’s obligation to adequately and equitably fund Kansas’ public schools. There was consensus among the Committee to add this language.

The Committee also discussed and agreed to add an item related to development of a Statewide Energy Policy and an item urging support for maintenance and expansion of federal and state funding for various infrastructure needs.

Ms. Flora additionally suggested adding a position regarding local gun control. A position on local control was included in the City’s 2017 Legislative Program which read:

“Support Local Authority for Firearm Regulation

The City of Mission supports the right for local units of government to make decisions at the local level regarding the carrying of guns (open or concealed) in public buildings, public parks, or during public activities or events. We also support the ability of local governments to set policies regarding the carrying of weapons and firearms by their employees while they are engaged in the course of their employment.”

The City’s objective in the 2017 Program was to urge for local governments to have the ability to determine how guns could be carried in public buildings, parks, and other City-owned or

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	N/A
Available Budget:	N/A

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ACTION ITEM SUMMARY	Date:	December 29, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

sponsored activities.

The Legislative Program, as amended, is included on the January 17 City Council agenda for further discussion, amendment and adoption. A copy of the Program, with the changes from the Committee meeting highlighted, is included in the packet

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	N/A
Available Budget:	N/A



2018 Legislative Program

6090 Woodson
Mission, Kansas 66202
Phone: (913) 676-8350
Fax: (913) 722-1415
www.missionks.org

January 2018



January 17, 2018

Dear Reader:

The Governing Body of the City of Mission annually adopts a state legislative platform to present Mission’s legislative initiatives and policy positions.

The cornerstone of the legislative program is the belief that the governing of public affairs should be as close to the people as possible. Supporting activities that promote and encourage the exercise of authority and responsibility by locally elected officials is a top priority of the City of Mission. This belief is exemplified in local home rule authority, an amendment to the Kansas Constitution that was approved by the citizens of the state over half a century ago.

Generally, the City of Mission supports the Statement of Municipal Policy of the League of Kansas Municipalities and the legislative agenda of Johnson County, Kansas. The City Council works cooperatively each year with the League and other cities to enhance the mutual benefits of Kansas cities.

If you have any questions concerning the 2018 Legislative Program, please, do not hesitate to contact me at (913) 676-8350.

Sincerely,

Ron Appletoft
Mayor

Governing Body

Mayor

Ron Appletoft

Ward I

Pat Quinn

Hillary Parker Thomas

Ward II

Nick Schlossmacher

Arcie Rothrock

Ward III

Kristin Inman

Debbie Kring

Ward IV

Sollie Flora

Vacant



2018 Legislative Program

State and municipal governments work together to provide citizens with many services they require and have come to expect. As the local branch of government, the City of Mission understands our citizens' needs and is equipped to respond to them effectively and efficiently. While we respect the State government's role, we continue to advocate for the protection of home rule authority to ensure citizens' needs are met. We support the preservation of local authority, maintenance of local control of local revenue and spending, and oppose the devolution of State duties to local units of government without planning, time and resources. The City of Mission advocates on the following issues in the interests of our elected representatives and on behalf of those who live and work in our community.

Repeal the Property Tax Lid and Maintain Local Control Revenue and Spending*

The City of Mission opposes actions by the state to impose constitutional or statutory limits on the authority of local governments to establish appropriate levels of taxation. The City supports the repeal of the property tax lid passed by the 2015 Legislature and amended by the 2016 Legislature. Arbitrary caps on taxing or spending limits the City's ability to meet the needs of its own citizens. Absent repeal, the state-imposed tax lid on local governments should be modified to require a public vote based on a protest petition provision. ~~If repeal of the tax lid does not occur, the City supports removing the expensive and cumbersome mandatory election process with protest petition provisions.~~ The City also supports additional exemptions which would make the law more workable, including such things as human resources costs.

Tax Policy*

The City supports stable revenues, and urges the Legislature not to further restrict the tax base, including limitations on ad valorem appraised valuation growth or industry specific, special tax treatment through exemptions or property classification. We do not support changes in State taxation policy that would narrow the tax base, significantly reduce available funding for key programs, or put Kansas counties and cities at a competitive sales tax disadvantage with Missouri. We do not support a sales tax on professional services.

Retain the Local Government Sales Tax Exemption

Mission supports the current law that exempts local government and public construction projects from sales tax. Imposing sales tax on current government purchases and projects will have only one effect: increased local taxation. Only the State government benefits from this sales tax and our citizens would pay the bill through higher property taxes.

Support Maintenance of State Funding

The issue of maintaining local government revenues is a prime concern for Mission. State transfers to local government have significantly been reduced or eliminated over the last ten to fifteen years. Mission urges the Legislature to meet its fiscal responsibilities to cities by maintaining state funding to local governments. The City supports a balanced state budget that does not rely on reduction in funding for local government; more specifically, the state should honor its partnership with local governments via alcoholic liquor tax funds and motor fuels tax receipts.

Comprehensive Transportation Plan*

To ensure the critical well-being of Kansas infrastructure, we urge the Kansas Legislature to follow through on the commitments in the Comprehensive Transportation Plan, also known as T-WORKS. The current funding level is far from adequate to address ongoing statewide infrastructure funding needs in areas of preservation, maintenance, and safety; therefore, it is critical for our state highway funds to be used for the purpose they are collected. Funds should be allocated strategically to ensure there is an identifiable long-term return on investment for the entire state. Additionally, because investment in growth areas is vital to creating a sustainable revenue stream that will address statewide infrastructure needs, we encourage the state to invest in public transportation that specifically demonstrates regional coordination in both rural and urban areas, and to support innovative platforms like ridesharing to increase access to employment and educational opportunities, as well as ease congestion and delay the need for costly road expansion.

Preserve Local Authority in the Use of Economic Development Tools

Mission supports local jurisdiction's authority both in determining how and when to use existing economic development tools and in creating new incentive programs to meet community goals. These goals are identified and supported through land-use planning, infrastructure allocation, and financial incentive tools that local communities and stakeholders develop through ongoing communication and prioritization. Each economic development or redevelopment project is unique, and may not be possible without the availability of these tools or the authority to use them.

K-12 Education Financing*

Mission is supportive of the Kansas Legislature adequately and equitably funding primary and secondary education to a level that places Kansas among the leading states in support of a "world class" education. We support Johnson County schools in their efforts to craft a new school finance formula that supports local components and treats local property tax contributions fairly for local property taxpayers and schools. [We oppose any amendment to the Kansas Constitution that would remove the State's obligation to adequately and equitably fund Kansas' public schools.](#)

Open Records and Open Meetings

We believe that an open government is essential to building public confidence, and that all levels of government should be subject to the same open meeting and 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, the costs of producing requested records, and the ability of public agencies to conduct their essential business functions. Mission supports the current requirements of the Kansas Open Meetings Act and the permitted subject matters for executive sessions. We also support the retention of the current exceptions in the Kansas Open Records Act and the existing allowances for cost recovery for open record requests.

Preserve the Ability to Advocate and Educate

The City supports local officials and their representatives' ability to freely advocate and educate on issues affecting local governments. We should not be restricted on the use of public funds to accomplish this purpose. Local officials, representing their citizens and taxpayers, must retain the authority to make decisions regarding membership in organizations and to participate in the legislative process. Any new required reporting system should not increase the administrative burden on local governments.

Support Full Funding of the Kansas Public Employees Retirement System

The City supports achieving a fully-funded public employees' retirement system within a

reasonable period of time. The State should fully fund its portion of the employer contributions at the Actuarial Required Contribution (ARC) levels and at the required times. The system should accumulate sufficient assets during members' working lifetimes to pay all promised benefits when members retire. We support current provisions as they relate to accumulated leave and other human resources policies to determine retiree benefits for both KPERS and KP&F employees. Possible policy changes could have a negative impact on local government employee recruitment and retention, particularly in the competitive Johnson County employment market.

Maintain Non-Partisan Local Elections

The City supports local elections remaining separate from state and national elections. Additionally, we are opposed to any legislation that would require local elections to be conducted with partisan identification.

Restore Local Control of Right-of-Way*

2016 Legislation granting the automatic placement of cell towers in city and county owned right of way, should be repealed. Regulation of the placement of cell towers should be subject to reasonable local zoning processes which review important community values such as safety and neighborhood concerns.

Restore Local Gun Control

The City of Mission supports the local regulation of firearms and weapons. We believe that local government should have the ability to regulate and enforce the possession and use of weapons within city-owned facilities, including City Hall, public parks, the outdoor pool, community center and City vehicles.

Statewide Energy Policy

We support the development of a coordinated and comprehensive energy policy, including the use of renewables, developed with strong input from cities. We encourage the state to adopt legislation providing the mechanism and staff support for the development of such policy.

Infrastructure Funding

The City of Mission supports increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure and associated security needs.

**Items with an asterisk are adapted from the Johnson County Joint Cities platform.*

JOHNSON COUNTY GOVERNMENT AND CITIES JOINT 2018 LEGISLATIVE PLATFORM

Adopted November 16, 2017

State and local government are partners providing numerous governmental services that are funded and made available to citizens. Local units of government are closest to the citizens and therefore, are extremely well-positioned to represent the interests of citizens in the communities in which they live. The partnership depends upon stable funding, efficient use of citizens' resources, and responsiveness at the city and county level. We support the preservation of local authority, maintenance of local control of local revenue and spending, and oppose the devolution of State duties to local units of government without planning, time and resources. The Johnson County Government and Cities advocate on the following issues in the interests of our elected representatives and on behalf of the citizens who live in our county and cities.

REPEAL OF THE PROPERTY TAX LID

We strongly oppose any state-imposed limits on the taxing and spending authority of cities and counties and urge the repeal of the property tax lid legislation passed during the 2015 Session and revised in the 2016 Session. We believe those elected to manage the affairs of cities and counties can be most responsive to the local taxpayers and make budget and tax decisions that are most reflective of the community's needs and financial interests. We note that these same taxing and spending limits on cities and counties were not placed on state government. State government should abide by the same taxing and spending decisions as they impose upon cities and counties. In Johnson County, the Public Building Commission debt was downgraded by Standard & Poor's (S&P) due to the property tax lid. This change impacts the pricing on the bonds, costing local tax payers more money.

Absent repeal, the state-imposed tax lid on local governments should be modified to require a public vote based on a protest petition provision. Additionally, the Legislature should review and consider including appropriate exemptions that existed largely under the prior tax lid but were not included in the current law such as: employee benefit costs, Kansas Public Employee Retirement System (KPERs), Public Building Commission debt, infrastructure and multi modal, as well as costs for intellectual and developmental disabilities, and mental health services among other items. (Added in 2016. Updated in 2017, 2018)

TAX POLICY

We support stable revenue sources and urge the Kansas Legislature to avoid applying any further exemptions to the ad valorem property tax base, including exceptions for specific business entities or the state/local sales tax base, as well as industry-specific special tax treatment through exemptions or property classification. The local tax burden has shifted too far to residential property taxes due to state policy changes. We do not support changes in State taxation policy that would narrow the tax base or significantly reduce available funding for key joint State/County programs such as corrections, mental health, and public health. These changes would place the County at a further competitive disadvantage with the state of Missouri. We do not support a sales tax on professional services. (Added in 2012. Updated in 2016)

COMPREHENSIVE TRANSPORTATION PLAN

To ensure the critical well-being of Kansas infrastructure, we urge the Kansas Legislature to follow through on the commitments in the Comprehensive Transportation Plan, also known as T-WORKS. The current funding level is far from adequate to address ongoing statewide infrastructure funding needs in areas of preservation, maintenance, and safety; therefore, it is critical for our state highway funds to be used for the purpose they are collected. Funds should be allocated strategically to ensure there is an identifiable long-term return on investment for the entire state. Additionally, because Investment in growth areas is vital to creating a sustainable revenue stream that will address statewide infrastructure needs, we encourage the state to invest in public transportation that specifically demonstrates regional coordination in both rural and urban areas, and to support innovative platforms like ridesharing to

JOHNSON COUNTY GOVERNMENT AND CITIES JOINT 2018 LEGISLATIVE PLATFORM

Adopted November 16, 2017

increase access to employment and educational opportunities, as well as ease congestion and delay the need for costly road expansion. (Added in 2010. Updated in 2016, 2017)

LOCAL CONTROL OF RIGHT OF WAY

2016 Legislation granting the automatic placement of cell towers in city and county owned right of way, should be repealed. Regulation of the placement of cell towers should be subject to reasonable local zoning processes which review important community values such as safety and neighborhood concerns. (Added in 2017)

STATUTORY PASS-THROUGH FUNDING

We call for the preservation of local government revenues which pass through the State of Kansas' treasury. These funds come from a longstanding partnership between local governments and the State and are generated via economic activity at the local level. Both alcoholic liquor tax funds and the local portion of motor fuel tax should not be withheld from local governments and siphoned into the State General Fund. The States' use of these local funding sources may benefit the State, but it will increase the local property tax burden to replace the lost revenue or reduce services. Local governments in recent years have had to cope with the Kansas Legislature not funding Local Ad Valorem Tax Reduction (LAVTRF), County City Revenue Sharing (CCRS) demand transfers, and the machinery and equipment property tax "slider" and should not be forced to further aid in balancing the State's budget. Since 1997, more than \$2.2 billion in formula demand transfers from the State to local governments have not been made. LAVTR dates back to the 1930s with the existing statutory framework being established in 1965. LAVTR represents the local share of certain cigarette revenue, stamp taxes and cereal malt beverages taxes that the state removed in exchange for the commitment to fund the LAVTR. CCRS was established in 1978 as part of an agreement between the state and local governments regarding a number of different taxes related to cigarette and liquor enforcement. (Added in 2010. Updated in 2016, 2018)

STATEWIDE EXPANSION OF MEDICAID

Johnson County supports Medicaid expansion through KanCare in Kansas. Providing Medicaid is the responsibility of the state and federal government. Counties are required to have a public health department and provide mental health services and the decision to limit Medicaid expansion has an impact on the citizens of Johnson County. Absent the state's participation in Medicaid expansion, county taxpayers are required to pay for these services that would otherwise be covered by Medicaid. Through local tax revenue, Johnson County provides approximately \$6.4 million in charitable care for mental health services and over \$2.2 million in uncompensated care for emergency medical care through Medical Action (Med-Act) (approximately 1 mill) that could be significantly reduced by Medicaid expansion. (Added in 2014. Updated in 2017, 2018)

DEVELOPMENT OF A COMPREHENSIVE ECONOMIC DEVELOPMENT PLAN FOR THE STATE OF KANSAS

We strongly encourage the State of Kansas to develop a comprehensive plan to foster and enhance the State's fledgling economy. Toward this end and in the absence of a statewide effort by legislators and executive branch officials to do so, the County pledges support to bring proven statewide organizations and educational institutions together to create such a plan. (Added in 2017)

K-12 EDUCATION FINANCING

Johnson County Government is supportive of the Kansas Legislature adequately and equitably funding primary and secondary education to a level that places Kansas among the leading states in support of a "world class" education. We support Johnson County schools in their efforts to craft a new school finance formula that supports local components and treats local property tax contributions fairly for local property taxpayers and schools. (Added in 2017)



2018
Statement of
Municipal Policy



THE
LEAGUE
OF KANSAS MUNICIPALITIES

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MISSION STATEMENT

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

2017-2018 GOVERNING BODY



PRESIDENT
Jeff Longwell
Mayor, Wichita



VICE PRESIDENT
Daron Hall
City Manager, Pittsburg

IMMEDIATE PAST PRESIDENT
Kim Thomas, Mayor, Stockton

PAST PRESIDENTS
Mike Boehm, Mayor, Lenexa
Brenda Chance, City Clerk, Phillipsburg
John Deardoff, City Manager, Hutchinson
Carl Gerlach, Mayor, Overland Park
Terry Somers, Mayor, Mount Hope
Larry Wolgast, Mayor, Topeka

DIRECTORS
Gary Adrian, Mayor, Colby
Kendal Francis, City Manager, Coffeyville
Mark Govea, Mayor, Osawatomie
Kelli Hansen, Mayor, Plainville
Mark Holland, Mayor, Kansas City
Jason Jones, Councilmember, Hesston
Jerry Lovett-Sperling, City Clerk, Lindsborg
John McTaggart, Mayor, Edwardsville
Scott Moore, City Administrator, Ellsworth
James Toews, Mayor, Inman
Joyce Warshaw, Commissioner, Dodge City
Toni Wheeler, City Attorney, Lawrence
J. Michael Wilkes, City Manager, Olathe

EXECUTIVE DIRECTOR
Erik Sartorius

ABOUT THE LEAGUE

Supporting Kansas Cities

A Trusted Voice for Kansas Cities Working to Strengthen Our State.

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.

Our 500 plus member cities consist of both the largest communities and the smallest cities. The League is governed by members through a Governing Body of elected officials and city-appointed staff.

THE LEAGUE ADVOCATES FOR CITIES

The League advocates on our membership's 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 rulemakings from both the state and federal level.

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.

COMMUNICATIONS & OUTREACH

Since 1914, the League has published the *Kansas Government Journal*, a publication for city, county and state government officials that is printed ten 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 the ability to communicate and converse in an environment which encourages collaboration. 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.





KANSAS

2018 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 2018:

- **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.
- **Tax Lid Modification.** If repeal of the tax lid does not occur, the cost of elections and timing of the budget approval process, in coordination with such an election, make the tax lid unfeasible. We support removing the election process under the tax lid and replacing with a protest petition. We support additional exemptions to make the law more workable.
- **Abandoned and Blighted Housing.** We support legislation that streamlines and expedites 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.
- **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/formulas for the state and local governments.
- **Alcoholic Liquor Taxes.** Changes in the way alcoholic liquors are classified, taxed, or where they can be sold should be done in a manner avoiding a loss of revenue to local entities.



- **Streamlined Sales Tax.** We urge Congress to implement the mandatory collection of sales and use taxes on remote sales. The legislation should not preempt state and local sales and use tax authority. Should federal legislation allow for the state imposition of such taxes, we support the distribution of those funds to cities and counties using existing statutory formulas. Kansas should continue to participate in the Streamlined Sales Tax Project.
- **Service Territory.** We support the current state electric utility service territory law. Municipalities must retain the authority to purchase, construct or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. We support the current statutory framework allowing cities' jurisdictional limits to change over time due to the annexation of land, including land located within the service territory of another utility provider.
- **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 has 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.





FINANCE & TAXATION



An adequate source of revenue is necessary to fund the essential services of city government. Each city is unique in both services provided and the 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.

- **Tax/Spending Lid.** Local spending and taxing decisions are best left to the local officials representing the citizens that elected them. We strongly oppose any state-imposed limits on the taxing and spending authority of cities and support repeal of the property tax lid.
- **Tax Lid Modification** If repeal of the tax lid does not occur, the cost of elections and timing of the budget approval process, in coordination with such an election, make the tax lid unfeasible. We support removing the election process under the tax lid and replacing with a protest petition. We support additional exemptions to make the law more workable.
- **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/formulas for the state and local governments.
- **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 has 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.



- **Tax Policy.** The League supports the long-established philosophy of balancing revenue from income, sales, and property taxes to assure the fiscal ability of the state and local governments to provide the services citizens want and need. Changes to tax policies should not be undertaken without a full understanding of the overall impact upon all taxpayers, taxing entities, and the sources and amounts of tax revenues to be generated or eliminated by such policy changes.
- **Kansas Tax System.** Cities are important partners in creating jobs, reviving the economy, delivering vital services and providing quality of life. The Governor and Kansas Legislature should include city leaders in discussions about restructuring the Kansas tax system and any changes should fully assess the resulting financial burden on local taxpayers.
- **Property Tax Exemptions.** We support a broad tax base and believe the existing property tax base should be protected. 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 actively review existing exemptions to determine if they should continue or be repealed.
- **Sales Tax Exemptions.** Given the current and future budget challenges facing state and local governments, we oppose the continued erosion of the state and local sales tax base by the passage of new exemptions. The Legislature should actively review existing exemptions to determine if they should continue or be repealed. We support the continuation of sales tax exemptions for municipal services.
- **Sales Tax Holiday.** Should the state establish any sales tax holidays, the law should allow an opt-in for local governments.
- **Unfunded Mandates.** We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates should be accompanied by an appropriate level of funding.
- **Alcoholic Liquor Taxes.** Changes in the way alcoholic liquors are classified, taxed, or where they can be sold, should be done in a manner avoiding a loss of revenue to local entities.
- **Property Valuation.** To maintain fair and equal taxation, we support appraisals based on fair-market value. We oppose caps in property valuations as unconstitutional and inequitable.
- **LAVTR.** The State Legislature, as required by Kansas statutes, should help to relieve the burden on property taxpayers by funding the Local Ad Valorem Tax Reduction (LAVTR) program. This should include keeping the promises made with reference to the machinery and equipment mitigation legislation, future gaming revenues and the existing statutory formula.
- **City and County Revenue Sharing.** The State Legislature should fund existing city and county revenue sharing programs as required by Kansas statutes.



- **Alternative Revenue Sources.** Cities should be authorized to approve alternative revenue sources in order to maintain appropriate levels of funding for the health, safety and welfare of our citizens.
- **Telecommunications Taxes.** We support cities' continued ability to impose and collect taxes and fees on telecommunications providers.
- **Local Sales Taxes.** We support the existing statutory authority for all cities to impose local sales taxes and seat taxes and the existing statutory distribution for all sales taxes.
- **Banking and Investment Restrictions.** We support maximum banking and investment choices for local government. At a minimum, all cities, counties and school districts should have the same banking and investment authority the state has granted to itself.
- **Tax credits.** We support the continued availability of tax credits as a tool for economic development.
- **Summary Publication of Resolutions.** We support legislation allowing cities to publish a summary of a resolution, with the full text of any resolution posted on the city's official website, in lieu of publication of the full resolution.
- **Taxes Paid Under Protest.** Due to the effect that taxes paid under protest can have on cities, the state and the county where the city is located should be required to notify cities when taxes, including compensating use and ad valorem taxes, are paid under protest so that cities have accurate data when making budgetary decisions.
- **"Dark Store" Property Valuation.** We oppose "Dark Store" techniques in the valuation and assessment of all properties, including big-box stores. Properties should be valued 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.



Cities play a critical role in the protection of the health and safety of the citizens of Kansas. Because mandated programs are costlier and less efficient, government at all levels should cooperate in the development of health and safety programs.

- **Asset Forfeiture.** We support the use of asset forfeiture as an important component in reducing financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the sale of the same, should remain with the local government that seizes the property.
- **Municipal Court.** Municipal courts serve a vital role protecting an individual's right to equal protection under the law following arrest or detainment. We support the local control of, and judicial authority of, municipal courts. 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, shall be retained by the local municipality.
- **Law Enforcement and Public Safety.** We believe cooperative efforts, rather than state and federal mandated requirements, are vital to the efficient and effective development of local law enforcement and public safety programs.
- **Emergency 911 Services.** Cities and counties should maintain local control of the 911 system and the 911 tax should continue to include both 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.** We request the Adjutant General and the State of Kansas review the role of cities in the state emergency management plan. Because cities play a crucial role in effective emergency management, implementation strategies must promote cooperative efforts between federal, state and local governments.
- **Alcohol & CMB Regulation.** We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.
- **Firearms and Weapons.** We support the local regulation of firearms and weapons.
- **Homeland Security.** First responders at the local level serve as the front line defense in the prevention and response to terrorism and other security risks. Local governments should be granted maximum flexibility and discretion over implementation of monies and strategies regarding homeland security.
- **Amusement Park Rides.** We support reasonable regulations of amusement park rides to protect public safety.



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 all dependent on the ability of local officials to self-determine what's appropriate for their own communities. This self-governance relies on the expectation of cooperation from the state government and full funding as required by law under current statutory programs from both the state and federal government.

Transportation

- **Connecting Links.** The State should increase KDOT's funding for connecting link programs to contract with cities to provide for the maintenance of state highways within city limits. The last increase in the connecting link program was in 1999. We support full funding of the City Connecting Link Improvement Program (CCLIP).
- **City-County Highway Fund.** The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be 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. The proceeds from any increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.
- **Comprehensive Transportation Program.** We support full funding of the Kansas T-Works comprehensive transportation program. We oppose any use of these funds to balance the state's General Fund budget. Any reduction in T-Works funding jeopardizes existing programs.
- **Federal Fund Exchange Program.** We support legislation to codify the Federal Fund Exchange Program, including allowing the banking of funds for a minimum of three years and a fixed exchange rate.
- **Transportation Safety.** The State should work in cooperation with local governments to continue to provide safe roads and bridges within Kansas.
- **Transportation Maintenance.** Because transportation infrastructure is critical to state and local development activities, we support the continued maintenance of the transportation infrastructure in Kansas.
- **Airport Funding.** We support the continued use of state economic development dollars (EDIF funds) to enhance airport facilities and services.
- **Transportation Development Districts.** We support the continued ability of cities to establish transportation development districts to meet the economic development and transportation infrastructure needs in the community.
- **Recreational Trails.** We support the development of recreational trails, including rails to trails, aquatic trails, and hike-and-bike on levee trails projects, and oppose any legislation that would make such development more burdensome or costly.



- **Cooperation with KDOT.** We support the continued efforts of the Kansas Department of Transportation to work with cities on cooperative programs, including the transportation revolving loan fund and various economic development projects.
- **Rail Service.** We support existing and enhanced passenger and freight rail service in Kansas and seek a strong partnership with the state and federal government to achieve meaningful improvements.

Municipal Utilities

- **Service Territory.** We support the current state electric utility service territory law. Municipalities must retain the authority to purchase, construct, or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. We support the current statutory framework allowing cities' jurisdictional limits to change over time due to the annexation of land, including land located within the service territory of another utility provider.
- **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, and support the current defined service territory statutes.
- **Right of First Refusal.** We support municipal utilities having the ability to invest in new electric/transmission projects in order to provide reliable, affordable service to local customers. We oppose efforts prohibiting competition for transmission projects in Kansas.
- **Franchise Authority.** We oppose any legislation restricting the current franchise authority for cities, including limits on franchise fees.
- **Mandates.** We oppose unfunded federal and state mandates regulating the operation of municipal gas, water, electric, sewer, telecommunications, solid waste, stormwater utilities or other utility services. Any mandates passed down to cities should not be imposed without a cost-benefit analysis and should be accompanied by appropriate funding. In addition, regulations should provide for a reasonable implementation schedule.
- **One-Call.** We support a state one-call system that recognizes the diversity of cities in Kansas and provides reasonable options for cities of different sizes. The one-call notification center and board of directors should remain subject to the Kansas Open Meetings Act and the Kansas Open Records Act.
- **Broadband.** We support legislation that promotes full disclosure of transport and connection fees by internet providers.



Energy

- **Statewide Energy Policy.** We support the development of a coordinated and comprehensive energy policy, including the use of renewables, developed with strong input from cities. We encourage the state to adopt legislation providing the mechanism and staff support for the development of such policy.
- **Energy Efficiency.** We support public and private incentives to encourage energy efficiency by local governments and citizens.
- **Electric Utility Deregulation.** Community-owned and operated municipal electric utilities make long-term power supply decisions and investments with the goal of benefiting their overall community. We support continued local control over power supply decisions.

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.** Government at all levels should aggressively pursue the conservation, protection and development of current and future municipal water supplies. We support cost-effective efforts to extend the life of reservoirs and to expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address over-appropriated surface and groundwater resources while respecting priority of water rights.
- **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 their water, wastewater, stormwater, levee and dam infrastructure and associated security needs.
- **Stormwater Management.** We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution.
- **Solid Waste.** The home rule powers of cities to dispose of and manage municipal solid waste should not be restricted.
- **Hazardous Waste.** We support a comprehensive state-local approach to provide assistance in identifying hazardous wastes and to develop programs to monitor and dispose of such wastes. We encourage state agencies to work cooperatively with local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Further, appropriate education and training should be provided prior to the implementation of such programs.
- **Clean Air.** We support air quality controls and a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.
- **Groundwater Management District (GMD) Assessment Caps.** We support legislation raising the cap on the assessments that can be charged by GMDs under state law provided such legislation does not allow a GMD to discriminate in the setting of the assessments made based on use made of water or point of use and preserves the verified claims process.





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

- **KPERS & KP&F.** We support the full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honoring all commitments that have been 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 not impact 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.
- **Personnel Mandates.** We oppose state and federal mandates involving public personnel.
- **Weapons and Firearms.** We support the ability of local governments to set policies regarding the carrying of weapons and firearms by municipal employees while they are engaged in their work.
- **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, to eliminate payment of unjustified benefits.
- **Prevailing Wage.** We oppose federal and state mandates requiring or prohibiting the payment of prevailing wage.
- **Health Care & Other Benefits.** We support cooperation and active 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 a qualified individual. We support legislation to define “volunteer” in Kansas employment lawsuch that it is consistent with federal law.



Abiding by the longstanding constitutional Home Rule authority of Kansas cities, 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. In an effort to construct appropriate policies for their community, such as economic and community development initiatives, cities should be committed to implementing procedures which ensure ethical and transparent governance from their officials.

Home Rule

- **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.
- **City Elections.** City elections should remain non-partisan and separate from state and national elections.
- **Annexation.** The ability of cities to grow is inherent in the economic growth and development of the state. Therefore, 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 ability of cities to control and manage public property and rights-of-way and to impose franchise or use fees on those entities that utilize the rights-of-way.
- **Eminent Domain.** Eminent domain is a fundamental municipal power. The authority to acquire property through condemnation proceedings is critical for public improvement projects. We support increased flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.
- **Interlocal Cooperation.** We support the principle of voluntary cooperation among all levels of government.
- **Governmental Immunity.** We support continued immunity for cities from tort liability.
- **Police Powers.** We support the authority of cities to regulate in order to protect the health, safety, and welfare of the public.
- **Consolidation.** We support processes for local consolidation without undue statutory barriers. We further believe the issue of consolidation is an inherently local one and the voters should be allowed to determine whether consolidation with another unit of government occurs.



Community Development

- **Abandoned and Blighted Housing.** We support legislation that streamlines and expedites 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.
- **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 their communities.
- **Tax Increment Financing (TIF).** We support the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility and allow for efficient use by communities.
- **Revitalization Tools.** We support the continued use of the Neighborhood Revitalization Act, the Downtown Redevelopment Act, the Transportation Development District Act and the Community Improvement District Act to promote local neighborhood development.
- **Tourism.** We support cooperative ventures between the state and local government in Kansas to promote tourism as an industry that is vital to growth and development all across the state.
- **STAR Bonds.** We support the ability of cities to utilize STAR bonds to promote economic development in their 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 the location, placement, size, appearance and siting of transmission and receiving facilities and any other communications facilities.
- **Moderate Income Housing Program.** We support the continued funding of the Moderate Income Housing Program to promote affordable housing options. Accessibility to such housing stock is important to job growth and economic success in communities.
- **Exports.** We support the Kansas Department of Commerce providing assistance to Kansas businesses who may become Kansas exporters, whether by direct provision of services or through outsourcing.



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 their essential business functions. We support a city's ability to recoup reasonable costs associated with open records requests.
- **Intergovernmental Dialogue.** Communication between all levels of government is critical to the successful delivery of public services to the citizens of Kansas. Representatives from cities provide facts and information crucial to intergovernmental relations, and as such, should have the same rights and responsibilities as private interest lobbyists. 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.





Local officials welcome the opportunity to work together with federal and state officials on policies impacting local communities. Federal agencies should research and understand the fiscal impact on local units of government when implementing new guidelines or laws. Cities manage their finances, infrastructure and personnel more effectively without unfunded federal mandates.

- **Streamlined Sales Tax.** We urge Congress to take action to implement the mandatory collection of sales and use taxes on remote sales. The legislation should not preempt state and local sales and use tax authority. Should federal legislation allow for the state imposition of such taxes, we support the distribution of those funds to cities and counties using existing statutory formulas. Kansas should continue to participate in the Streamlined Sales Tax Project.
- **Community Development Block Grants (CDBG) –** We support continued funding for Community Development Block Grants, Community Service Block Grants and HOME Grants. These programs’ funding is an essential component of cities’ strategies to fund critical community services and infrastructure needs.
- **Municipal Bonds.** We support the removal or modification of overly burdensome and costly restrictions affecting the issuance of municipal bonds. Further, we support the continued tax-exempt status for municipal bonds.
- **Overtime Rule.** We support modernizing rules for overtime, but have concerns about the fiscal impact of the changes, particularly if they include automatic increases in the overtime threshold. As employers, absorbing the impact of sharp increases would have a significant negative impact on municipal budgets.
- **Immigration Reform.** We support a federal solution to immigration reform. Any immigration policy should not negatively impact local governments with additional law enforcement or administrative burdens. We support Congress continuing assistance to under-served areas with large immigrant populations, who are attempting to remain in compliance with the United States Citizenship and Immigration Services.
- **Transportation.** We support funding the Fixing America’s Surface Transportation Act (FAST ACT), which allows investment in critical infrastructure.
- **Stormwater.** We support simple and flexible federal regulations of municipal stormwater run-off that allow for orderly and cost-effective development. The federal government should appropriate funds for research and for the development of pilot projects on stormwater management.



- **Water Quality.** We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse federal investments and cooperative solutions that address water quality challenges and take into account municipal cost concerns.
- **Hazardous Waste.** We urge federal agencies to work cooperatively with state and local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Appropriate education and training should be provided prior to the implementation of such programs.
- **Telecommunications Data.** We support the continued ability of public safety officials to access data from telecommunications companies in times of emergencies to assist investigations.
- **Rail Service.** We support existing and enhanced passenger and freight rail service in Kansas.
- **Railroad Quiet Zones.** We urge Congress to reexamine the Train Horn Rule with the Federal Railroad Administration. Rules for implementing quiet zones should be less burdensome and allow for differences in community circumstances while continuing to protect public safety. We also request Congress provide federal funds for the purpose of establishing quiet zones and consider new technology which may enhance the safety of quiet zones while minimizing or eliminating train horn noise.



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POLICY DEVELOPMENT

This *Statement of Municipal Policy* defines the core principles of the organization. It 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.



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