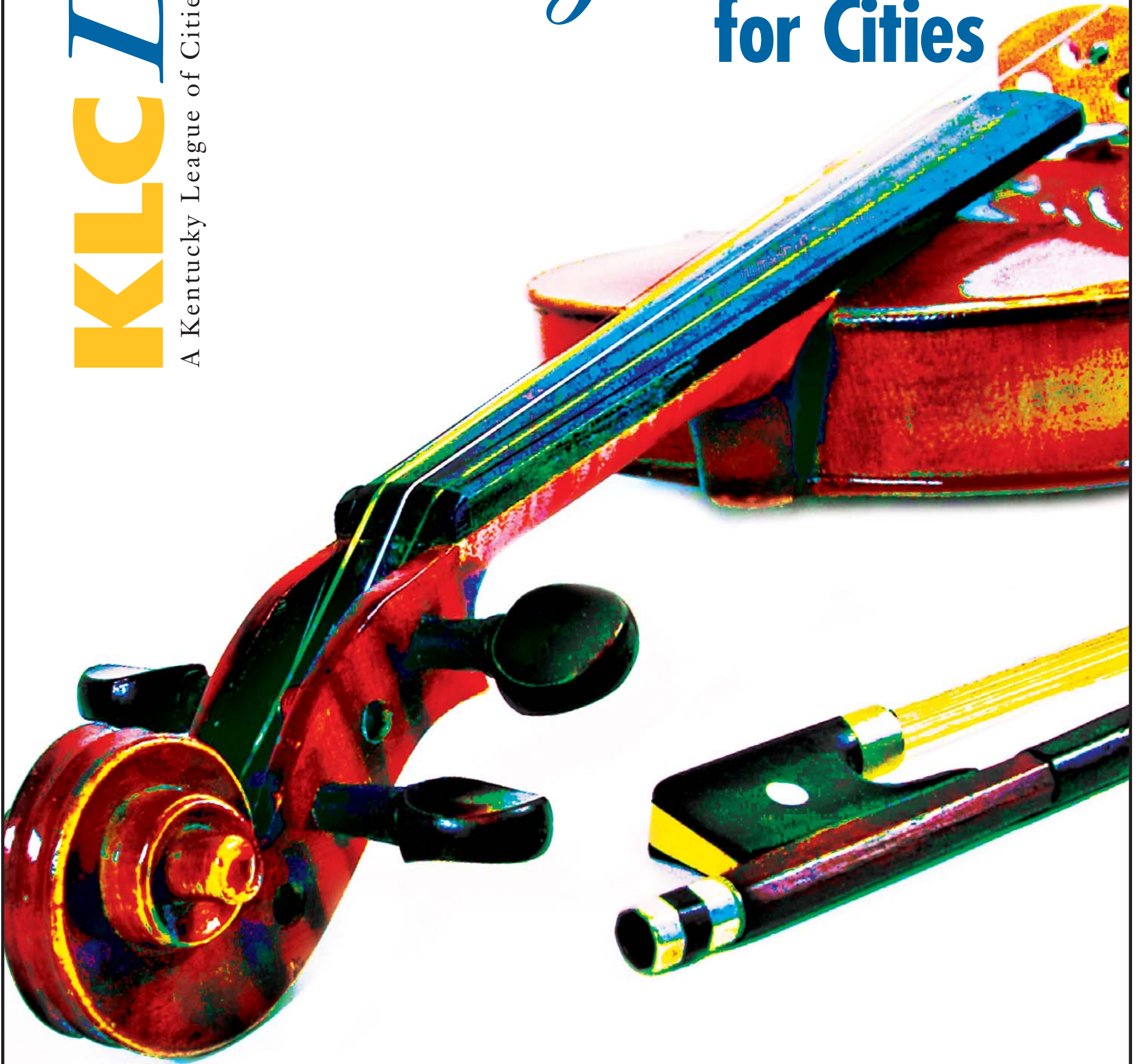


# Session Concludes on *High Note* for Cities



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**Session Concludes on High Note for Cities**

The Kentucky League of Cities has had its share of success in Frankfort over the years. This year we're proud to announce the successes that will save cities dollars and bring value to Kentucky citizens.

Thanks to the work of you and our legislative team, four particularly important pieces of legislation were passed - HB 171, HB 437, HB 508 and HB 537. Special thanks to each of you who contacted your legislators and made trips

to Frankfort to advocate these critical pieces of legislation. These efforts are noticed and make a difference with legislators.

At KLC, a special thanks go to Jerry Deaton and the lobbying team, Phil Huddleston, Bert May, Craig Maffet and Tresa Short, for their hard work, as well as everyone on staff who supports our advocacy and legislative effort, particularly the policy/research, legal and

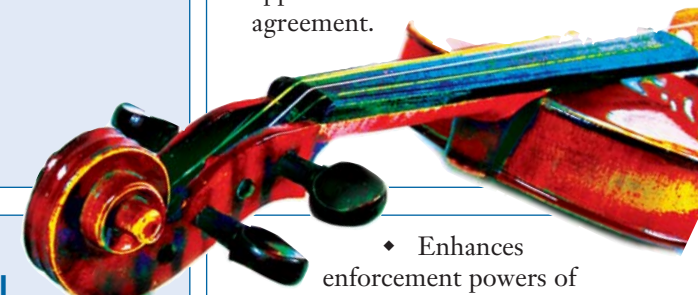
communication teams. These types of KLC support services are made possible when members participate in our finance and insurance programs, which cover some of their cost. In turn, KLC's legislative work brings benefit - and revenue - to all Kentucky cities with legislation like HB 171. We thank each of you that participates in these programs.



*KLC was on hand as Gov. Fletcher signed HB 171. (l-r) KLC's Phillip Huddleston, Robbie Rudolph, Secretary of the Kentucky Finance and Administration Cabinet, KLC's Jerry Deaton, Gov. Ernie Fletcher, KLC's Bobbie Bryant and Rep. Steve Numm.*

**Bills of Interest Passed by the 2006 General Assembly**

Bill & Title	What it Does	Bill & Title	What it Does
<b>HB 171</b> <b>Legal Publications</b>	<ul style="list-style-type: none"> <li>Reduces the cost of all legal publications by state and local governments.</li> </ul> <p><b>How:</b> Reduces the required type size for most legal publications from 9-point type to 7-point type for an estimated savings of 22 percent.</p> <p>Reduces the number of components of the audit report required to be published by local governments from five to two.</p> <p>Reduces the number of times delinquent tax lists must be published from once a week for three successive weeks to one time, if lists are posted for two successive weeks on an Internet website affiliated with the city or county.</p> <p>Reduces the type size from 8-point to 6-point for publication of the notice that the financial statement has been prepared.</p>	<b>HB 656</b> <b>Wireless Enhanced 911 Systems</b>	<ul style="list-style-type: none"> <li>Provides additional funding for local dispatch centers by adding a service charge for calling cards and eliminating payments to major telephone companies that originally paid for E-911 equipment.</li> </ul>
<b>HB 437</b> <b>Unified Local Government</b>	<ul style="list-style-type: none"> <li>Provides a new procedure for voluntary merger of a county with one or more cities within the county subject to approval by registered voters in the county.</li> </ul>	<b>SB 50</b> <b>Solid Waste Management</b>	<ul style="list-style-type: none"> <li>Permits environmental remediation fees to be used to establish recycling and hazardous waste grant programs for local governments, in addition to use for elimination of illegal open dumps.</li> </ul>
<b>HB 508</b> <b>Eminent Domain</b>	<ul style="list-style-type: none"> <li>Defines the allowable public uses for eminent domain; excludes the use of eminent domain for condemnation of private property for transfer to a private owner for the purpose of economic development.</li> </ul>	<b>SB 111</b> <b>Aerial Imagery</b>	<ul style="list-style-type: none"> <li>Requires local governments that create or purchase aerial photographs to provide copies to the Commonwealth Office of Technology without cost for official and public use, unless the local government providing the imagery requests that the data not be disclosed to the general public.</li> </ul>
<b>HB 55</b> <b>Smoking Policy</b>	<ul style="list-style-type: none"> <li>Permits local governments to prohibit smoking in government buildings in lieu of providing indoor smoking facilities.</li> </ul>	<b>HB 126</b> <b>Code Enforcement Boards</b>	<ul style="list-style-type: none"> <li>Codifies authority for the creation of joint code enforcement boards by interlocal agreement with members appointed as set forth in the agreement.</li> </ul>
<b>HB 537</b> <b>Affordable Housing</b>	<ul style="list-style-type: none"> <li>Increases the fees charged by county clerks for recording deeds, liens, and other documents to \$12, with \$6 of the fee retained by the county clerk and \$6 paid to the Affordable Housing Trust for construction of low income housing.</li> </ul>	<b>HB 28</b> <b>Electrical Inspectors</b>	<ul style="list-style-type: none"> <li>Enhances enforcement powers of electrical inspectors by permitting stop work orders and increased fines.</li> </ul>



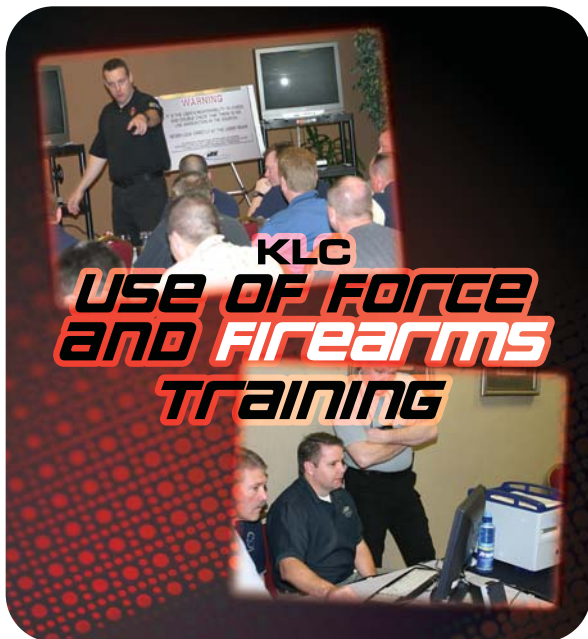
**Public Safety Measures Passed by the 2006 General Assembly**

Bill & Title	What it Does	Bill & Title	What it Does
<b>HB 117</b> <b>Seat Belt &amp; ATV Helmets</b>	<ul style="list-style-type: none"> <li>Enables law enforcement officers to enforce the state seat belt law as a primary offense.</li> <li>Requires children under the age of 16 to wear a protective helmet when riding or operating an all-terrain vehicle on public or private property.</li> </ul>	<b>HB 90</b> <b>Driver's Licenses</b>	<ul style="list-style-type: none"> <li>Requires persons at least 16 and under 18 years of age to hold an instructional permit for 180 days and complete 60 hours of supervised driving before applying for an intermediate license, and hold an intermediate license for 180 days and complete an approved driver training program before applying for an operator's license, effective Oct. 1, 2006.</li> </ul>

## KLCIS NEWS

### KLC's Law Enforcement Loss Control Service Responds to YOUR Needs

It's no game, nearly 100 officers participate in virtual firearms training!



On March 30 and 31, KLC's Loss Control Law Enforcement Service hosted 50 officers from 23 police departments within the Southeast, Central, and Northern Kentucky areas for its second use of force and firearms training class in Lexington. In January, 48 officers from western Kentucky attended the same workshop at Kentucky Dam Village.

Officers discussed challenges in the field, received expert instruction on firearms issues and participated in interactive firearms training using the **IES Training System**, recently purchased by the Kentucky League of Cities Insurance Services (KLCIS) for use with Kentucky's sworn officers.

The IES Training System is the latest intuitive technology on the market and forces officers to respond to more than 200 realistic environments. Based on their responses, actions occur until the "virtual" situation is resolved.

The primary instructor was Alex Payne, a nationally recognized instructor in the area of firearms, use of force and self defense who has trained officers nationwide.

The IES Training System is now being scheduled for on-site training in departments around Kentucky.

### Upcoming Trainings on SWAT Liability!

#### Legal and Liability Management for Tactical Swat and Emergency Response Operations

- ◆ Lexington - May 23, 8:30 a.m. - 4:30 p.m.
- ◆ Elizabethtown - May 24, 8:30 a.m. - 4:30 p.m.

**Featured Speaker:** Jack Ryan, National Expert on SWAT procedures, operations and liability

**Cost:** No cost to KLCIS law enforcement members (\$250 value). KLC will provide free training for our participating KLCIS law enforcement members and at a discounted rate for other departments.

**Who should attend:** Communities currently utilizing tactical units, contemplating starting a team or joining a regional team, chiefs of police, command staff, SWAT team leaders/SWAT command/SWAT training coordinators, mayors and other interested political representatives.

The programs will focus on liability issues, review recent court cases and cover equipment, training, physical and firearms training for SWAT teams.

The expert speaker for the sessions will be Jack Ryan, one of the nation's leading experts on liability and police issues. Ryan is a retired police captain, former SWAT team member, currently a practicing attorney and a member of the Public Agency Training Council located in Indianapolis, Indiana.

**Register online at [www.klc.org](http://www.klc.org) or contact Mark Filburn or Tony Hampton, KLC Law Enforcement Specialists at 800-876-4552 for more information.**

## WORKERS' COMP NEWS

### Independent Contractors - Who is Responsible for Workers' Compensation Coverage

There are times when your city may need to hire an independent contractor to do work. How do you determine who is responsible for providing workers' compensation insurance for this work? Kentucky law states that all employers, even if they have only one part-time employee, are subject to workers' compensation.

Determining whether or not a worker is an employee or an independent contractor is a frequently disputed issue in workers' comp claims. There are four main factors that the state looks at when it relates to independent contractors:

- 1) the nature of the work performed as it relates to the business of the possible employer;
- 2) the extent of control of details of the work;
- 3) the professional skill of the worker and
- 4) the intentions of the parties.

Generally, an independent contractor works on his/her own without direct supervision, setting work hours and providing the needed tools and equipment for the job.

The question of coverage for independent contractors often comes up during the workers' comp year end audit. To help clarify some of the issues with coverage, KLCIS has created a questionnaire for independent contractors with no employees. This form can be utilized by the city when hiring an independent contractor and will help the auditors determine the extent of the independent contractor situation. KLCIS members can find the form on the KLC Member Services website under Insurance/Resources. You will be able to print the form as needed.

*If you have any additional questions, contact Linda Shearer ([lshearer@klc.org](mailto:lshearer@klc.org)) or Suzanne Reed ([sreed@klc.org](mailto:sreed@klc.org)) or call 1-800-876-4552.*

## KLC Direct

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David L. Willmoth  
Mayor of Elizabethtown, First Vice President  
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Executive Director/CEO, KLC

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*The voice of Kentucky cities.*

**KLC Direct** is published monthly by the Kentucky League of Cities (KLC). KLC is a voluntary association of nearly 400 cities and provides a multitude of services to assist in improving local government. Please address any correspondence to KLC Direct, Kentucky League of Cities, 100 East Vine Street, Suite 800, Lexington, Kentucky 40507-3700. Phone (859) 977-3700 or 1-800-876-4552. Fax (859) 977-3703. [www.klc.org](http://www.klc.org).

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Design/Layout, Ulysses C. Hayes  
Director of Communications, Bobbie Bryant

For a full list of KLC staff visit [www.klc.org](http://www.klc.org).

By providing pertinent information, the Kentucky League of Cities does not necessarily endorse the views, services, programs or initiatives described in the listed references or websites, nor is the Kentucky League of Cities responsible for any statements or material contained therein. This publication provides information and links as a service to readers for their consideration.

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## CITY SUMMIT

**Speak up or forever hold your peace!**

Now is your chance to create a local tax reform package just for cities. If your city is having revenue problems, then you need to attend this very important meeting. If changes are to occur, we must decide on a plan - NOW!

And, we're going to feed you too.

Thursday, June 29, 2006  
Locations TBD

## Welcome back, Marty!

KLC Insurance Marketing Agent Marty Nemes served an 14-month tour of duty in Iraq and is now back at work. We celebrate Marty's return and want to express our gratitude for his service as an Army Reservist. Thank you, Marty, and welcome back to KLC!



# KLC Goes to Washington . . .



KLC Executive Director Sylvia L. Lovely and Deputy Executive Director Neil Hackworth joined KLC board officers for recent visits to senators in Washington, D.C. while there for the National League of Cities Congress of

Cities. In attendance were Morehead Mayor Brad Collins, Williamstown Mayor Glenn Caldwell and Maysville Mayor David Cartmell. (l-r) 1. Caldwell, Collins, Lovely, Congressman Ben Chandler, Cartmell and Hackworth;

2. Hackworth, Cartmell, Senator Mitch McConnell, Caldwell, Collins and Lovely; 3. Cartmell, Lovely, Congressman Ron Lewis, Collins, Caldwell and Hackworth; 4. Mayor Caldwell proudly poses by the Capital.

## BIG IDEAS/INNOVATIONS

### Tons of Success in MIM Campaign!

Thanks to the participation of more than 93 Kentucky cities, the Millions in a Month campaign to raise awareness about hunger in our communities was a huge success. Stan Curtis, founder of Kentucky Harvest and chair of the Millions in a Month campaign said the goal of 11 million pounds of food was far exceeded.

Kentucky Harvest, KLC, and cities all across Kentucky worked together to pass resolutions and collect and distribute food locally. In addition to cities, businesses, schools, places of worship and other organizations statewide held "food" raisers during March.



Louisville Metro Police Chief Robert White with two young Millions in a Month volunteers. Louisville was one of 93 Kentucky cities that raised tons of food for distribution in their local communities.

"The Millions in a Month campaign enabled our cities to do what they do best -- to lend a helping hand," said Sylvia L. Lovely, Executive Director/CEO of KLC. "It's always nice when Kentucky's cities are recognized for participating in worthwhile efforts that help the community. It happens more often than is reported in the news."

According to Stan Curtis, Kentucky has done something that no other state has ever attempted to do with its statewide effort. Thanks to all of the cities that embraced this effort and helped Kentucky Harvest reach its goal and more importantly, serve people in our communities!

## NEWCITIES NEWS

### Sister Cities Summit

The Kentucky Summit on Citizen Diplomacy was held on April 5, 2006, at 11 sites across Kentucky. The purpose of the Summit was to develop state and local strategies to raise awareness and recommend action steps to address



(l-r) Tim Honey, Executive Director, Sister Cities International, Washington, D.C.; Sylvia L. Lovely, President of the NewCities Institute and KLC Executive Director/CEO; Brad Collins, Mayor of Morehead, Kentucky and KLC President

global awareness, global education, and global tourism/economic development. Several hundred people gathered at various Kentucky Community and Technical College System (KCTCS) and university locations to hear international diplomacy experts and discuss local/global issues. The state's report will be presented at the Sister Cities International 50th Anniversary Conference in Washington, D.C. in July 2006. Sylvia Lovely served as the state summit moderator. Kentucky is the first state to utilize statewide videoconferencing as a means to hold simultaneous summits in multiple locations.

## LEADERSHIP ADVANTAGE

### Planning and Zoning Training

Ongoing planning and zoning training is required by state statute. The KLC Leadership Training Center provides comprehensive programs to satisfy planning & zoning training required by state statute. The program has been designed to introduce zoning administrators, planning commissions, board of appeals members and legislative bodies to the intricacies of the proper way to conduct zoning procedures in your community, while providing 8 hours of training credit for HB 55.

#### Learning Objectives:

- Discover the importance of planning and the repercussions of no planning

- Identify the components of a successful planning system
- Understand the powers and responsibilities of the planning commissioner and/or board of adjustment member
- Recognize the relationship between the planning agency and the elected body
- Define mandatory and permissive elements of the comprehensive plan
- Analyze the dos and don'ts of commission meetings

To register, visit [www.klc.org/leadership](http://www.klc.org/leadership). Registration begins 30 minutes prior to class time.

## KLC WOM! (Word of Mouth)

#### On KLC Training . . .

*This planning and zoning responsibility cannot be taken lightly and only through expert training and guidance, can novice board members expect to make the best decisions for an entire community. I have attended two previous KLC sessions taught by Mr. Slagle and Mr. Pike. It is obvious they are passionate about good direction for planning/zoning boards, and that they believe in the future of our cities and counties.*

-- Sandra Slusher, Planning and Zoning Commissioner, London/Laurel County

Also, mark your calendar for **Planning and Zoning to Meet HB 55 Requirements** coming to a city near you!

\$99, \$89 (KLCIS customers) includes lunch and resource book  
8:30 AM - 5:00 PM

Monday, June 19 - Edgewood Edgewood City Building

Wednesday, July 19 - Princeton Welcome Center

Wednesday, August 16 - London London City Hall

Register at [www.klc.org](http://www.klc.org)

## MEET ME AT KLC



### Welcome New Staff

**Raymie Scrivner**  
Accountant  
Joined KLC March 2006

Raymie can be reached at 800-876-4552, ext. 3718, or by email at rscrivner@klc.org.

## FROM THE FIELD

### Fossett and Ewalt Appointed to Committee

Governor Fletcher recently appointed **Joe Ewalt**, KLC Director of Policy Development and Research, to the Local Distribution and Fund Oversight Committee. In addition to Joe, **Fort Thomas City Manager, John Fossett**, was also appointed to the Committee. This is great news for cities, as they will advise on issues relating to funding and revenue options for cities.

### Homeland Security Facility Possible for Somerset

The Executive Board of the Kentucky League of Cities recently endorsed a resolution to establish a collaborative consortium of several entities in an effort to bring the National Bio and Agro-Defense Facility (NBAF) to **Somerset**. This Kentucky-Tennessee consortium highlights the strengths found in both states that can benefit the lab's operations. The NBAF works through the U.S. Department of Homeland Security.

Much like Toyota, if this lab is located in Kentucky, it will benefit the entire state by raising the bar of "high tech" business in our state and will spawn ancillary businesses and activities and support education.

The Kentucky cities of **Southgate, Strathmore Manor, Audubon Park** and **Fort Campbell** were recognized by the National Arbor Day Foundation. Kentucky now has 26 Tree City USA cities, all of which demonstrate a strong commitment to management of its urban forests.

## GOLD UPDATES

### GOLD Reminder on Finances

The Governor's Office for Local Development (GOLD) asked KLC to help remind cities about compliance with one or more areas which GOLD's Office of Financial Management and Administration monitors. GOLD would have notified your city directly if not in compliance with one or more of the following required filings: 1) Audit and/or Financial Statement, 2) Uniform Financial Information Report, and/or 3) Ethics Ordinance Adoption.

Compliance is an important issue for your city. Questions or additional information? Contact Timothy Williams, GOLD, at 800-346-5606 or email tim.williams@ky.gov. To discuss the issue with someone at KLC, contact Robin Cooper, Director of Member Services at 800-876-4552.

### GOLD Spirit Award

The Governor's Local Issues Conference will be held September 14-15, 2006 at the Galt House East in Louisville, Kentucky. Register online at www.gold.ky.gov. The GOLD Spirit of Kentucky Award will be awarded at the conference to an entity that demonstrates the effective coordination of government resources for multiple government entities.

## LAW ABIDING

### Wastewater/Stormwater Ruling Good for Cities

A Federal Court in Kentucky issued a ruling which favors Kentucky cities involved in regional wastewater facilities and the management of stormwater. The ruling could put an end to a decade old dispute raised by several environmental groups against the U.S. Environmental Protection Agency (EPA) and the Kentucky Environmental and Public Protection Cabinet (EPPC) which culminated in a suit being filed in Federal court last year.

The Kentucky League of Cities intervened in the case on behalf of its members because of the impact an adverse ruling would have on cities in regard to the treatment of wastewater and stormwater. In the regulations, the EPPC exempted regional wastewater facilities plans and stormwater operations conducted

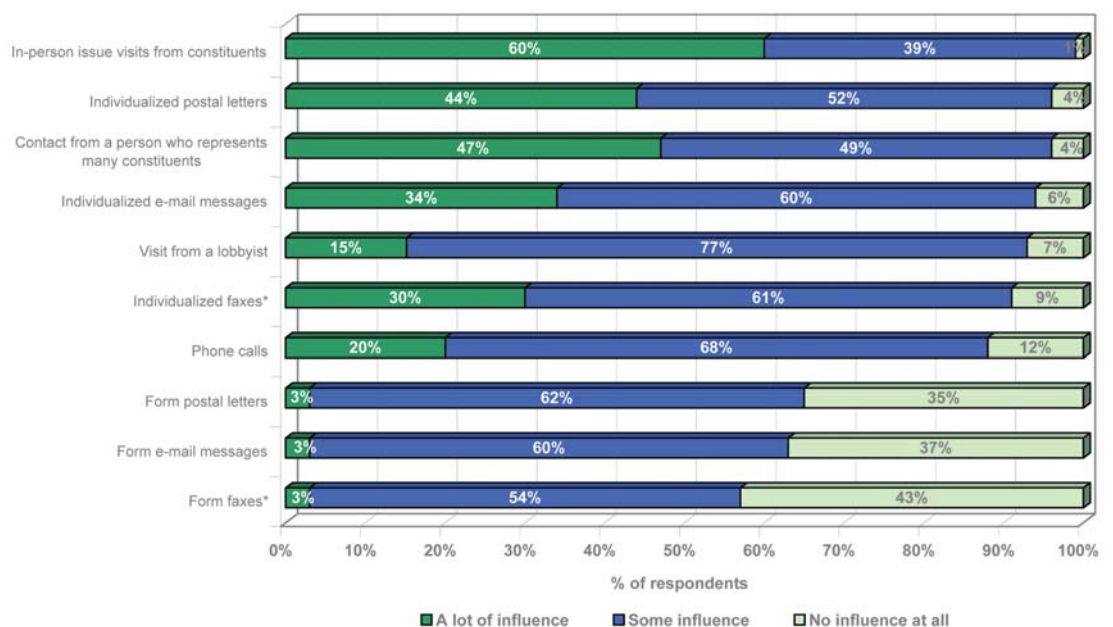
pursuant to the general stormwater permit specifications from the requirement to undergo a costly and time consuming degradation review. If successful, the suit would have invalidated these exemptions and imposed significant compliance costs on cities. The ruling by the federal court was in essence a recognition that the regulations at issue were reasonable and the exemptions justified.

The plaintiffs have until May 1 to appeal the decision to the 6th Circuit Court of Appeals. If they do not, the ruling will become the controlling law. At the time of *KLC Direct's* printing, no appeal had been taken. KLC will keep city leaders updated via email as the issue progresses.

## LEGISLATIVE FLASH

### Do Legislators Listen to You? Yes!

NATIONAL GRAPH ON IMPACT OF CONTACT WITH LEGISLATORS\*



\* Reprinted with the permission of the Congressional Management Foundation

## Where Do Your Insurance Premiums Go?

### WITH OTHER INSURERS

- To some big home office
- To benefit "stockholders"
- To pay customer service reps overseas
- To pay for Super Bowl ads and NASCAR sponsorships

### WITH KLC INSURANCE SERVICES

- To KLC- here in Kentucky
- To benefit you (with services like lobbying, legal, loss control, training & education)
- To provide customer service reps in the field (who come to you)
- To provide things like fire arms training for your police officers

Cities are our customers. Citizens are our stockholders.

There are lots of reasons to choose KLC for your insurance and financial needs.

Thank you for your business!

October 4-7, 2006  
**MARK YOUR CALENDAR!**



# CALENDAR OF EVENTS

## Online Training Calendar

### MAY 2006

- 16 Open Records**, 10:00 a.m. - 11:00 a.m. (EDT), Cost \$39  
Session Number: 681 772 623; Training Session Password: learntolead
- 23 Open Meetings**, 10:00 a.m. - 11:00 a.m. (EDT), Cost \$39  
Session Number: 681 772 623; Training Session Password: learntolead
- 30 Contracting/Procurement/Public Purpose Spending**  
10:00 a.m. - 11:00 a.m. (EDT), Cost \$39  
Session Number: 681 772 623; Training Session Password: learntolead

### JUNE 2006

- 6 Local Government Ethics Law**, 10:00 a.m. - 11:00 a.m. (EDT), Cost \$39  
Session Number: 681 772 623; Training Session Password: learntolead

For more information on these events, contact KLC Convention & Special Events Manager Arlene Nance at 1-800-876-4552 or email [anance@klc.org](mailto:anance@klc.org).

### NLC's CCC Attendees Eligible for Free Reno Registration!

How would you like a free registration to the 2006 Congress of Cities in Reno, Nevada, December 5-9, 2006?

City officials from NLC member cities are eligible for this giveaway if they attended the recent 2006 Congressional City Conference (CCC) in Washington, D.C., and they bring a new member into NLC by May 31, 2006. New members may be recruited from any state. Former NLC member cities may be recruited if their memberships have lapsed two or more years.

For applications, dues schedules, or more information, contact Mae Davis, NLC Marketing Associate, at [mdavis@nlc.org](mailto:mdavis@nlc.org) or 202-626-3150.

## We Want to Hear from You!

To submit a story or commentary for KLC *Direct* departments, please contact the KLC staff listed or go to [www.klc.org](http://www.klc.org). For overall feedback, contact Terri Johnson at 1-800-876-4552, ext. 3784, or [tjohnson@klc.org](mailto:tjohnson@klc.org).

## SHOW ME THE MONEY

### EDA Offers Support for Public Infrastructure

The Department of Commerce's Economic Development Administration (EDA) offers funds (up to 50 percent of costs) to build or refurbish vital public infrastructure with the hopes of creating high-skill, high wage jobs and private investment. States, cities, counties, Indian tribes, nonprofits and higher learning institutions are eligible for the grants, which can be used for:

- water and sewer system improvements
- industrial access roads and business parks
- port facilities and railroad sidings
- distance learning facilities
- skill training facilities
- business incubator facilities
- redevelopment of brownfields
- eco-industrial facilities
- telecommunications/infrastructure

The grants may also be used to acquire, rehabilitate, design, expand and improve public land or public-owned and operated development facilities. Specific guidelines must be followed for all projects.

**Deadline:** Open

**Contact Information:** Call Bob Hunter at 859-224-7426 or email [bhunter@eda.doc.gov](mailto:bhunter@eda.doc.gov).

### Preventing Damage from Future Disasters

The Hazard Mitigation Grant Program (HMGP) provides funds to state and local governments once an area is declared a disaster area by the President. The funds may be used for public or private property. Individual homeowners and businesses may not apply, but a community is allowed to apply on their behalf.

**Deadline:** Open

**Contact Information:** [www.fema.gov/fima/hmgrp/statedir.shtm](http://www.fema.gov/fima/hmgrp/statedir.shtm).

### Brownfield Grants Workshop - Free to first 30 cities that register!

**What:** Government Funding for Brownfield Projects Grants Workshop

**When:** May 24, 9:00 a.m.- 4:00 p.m.

**Where:** Kentucky Transportation Cabinet, 200 Mero Street, Frankfort

**How:** Contact Amanda LeFevre to register at 800-926-8111 or [Amanda.lefevre@ky.gov](mailto:Amanda.lefevre@ky.gov)

**Cost:** Free to first 30 communities; \$195 for NBA members; \$295 for others

The Kentucky Brownfield Program, in partnership with the National Brownfield Association, is sponsoring a one day seminar on writing and obtaining brownfield grants. The session will focus on EPA's latest guidelines for grant writing, as well as tips on how best to use the funds once you get them.

*KLC Direct is designed internally to save our members money.*



CITIES  
MAKE LIFE MORE  
LIVABLE.

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