

NEBRASKA MUNICIPAL REVIEW

■ Omaha Mayor increases support
for summer jobs program

■ NE150 Celebration's 'Truckin' through
Nebraska: A mobile children's museum'
to visit 42 communities

■ Grand Island Literacy Council receives
CDBG to expand and add services

March 2017

2017 Midwinter Conference Highlights



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March 2017

No. 1,103

ISSN 0028-1906

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Top left: Norfolk Sen. Jim Scheer, Speaker of the Legislature.

Top middle: Omaha Sen. Justin Wayne, Urban Affairs Committee Chairperson.

Top right from left: Gov. Pete Ricketts and League President Alan Michl, Exeter Board Chairperson.

Bottom left from left: Kim Neiman, Pilger Clerk/Treasurer; League President Alan Michl, Exeter Board Chairperson.

Bottom right from left: Papillion Sen. Jim Smith, Revenue Committee Chair; Gov. Pete Ricketts; League President Alan Michl, Exeter Board Chairperson; Henderson Sen. Curt Friesen, Transportation and Telecommunications Committee Chair; Kyle Schneeweis, Nebraska Department of Roads Director.

Photos by Lynn Marienau.

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Larger Cities Legislative Committee

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Shirley Riley	Membership Services Director
Julia Wessel	Receptionist/Membership Services Assistant

CALENDAR

IIMC Annual Conference May 21-24, 2017, Montreal, Quebec
Municipal Accounting and Finance Conference June 14-16, 2017, Holiday Inn, Kearney
Annual Conference..... Sept. 20-22, 2017, Cornhusker Marriott Hotel, Lincoln

Municipal Legal Calendar

(All statute citations to Revised Statutes of Nebraska)

MARCH 2017

CITIES OF THE FIRST CLASS

On or before March 1 One and six year plans are due at the Nebraska Department of Roads,
Board of Public Roads, City Classification and Standards, March 1, 2017.
Legal notice is required 10 days before the hearing. (39-2115 to 39-2119)

Within 10 working days following
meeting or before next
meeting (whichever is sooner)..... Clerk to have minutes available for public inspection. (84-1413)

Within 15 days of Passage Clerk publishes ordinances passed. (16-405)

Within 30 days following
Council meeting Clerk publishes official proceedings of meetings, including claims. (19-1102)

Within 20 days after end
of month..... Treasurer files monthly financial report. (16-318)

Each Quarter Report from Depository banks due. (16-714)

* * Clerk must prepare agenda prior to next Council meeting. (84-1411)

CITIES OF THE SECOND CLASS AND VILLAGES

On or before March 1 One and six year plans are due at the Nebraska Department of Roads,
Board of Public Roads, Classification and Standards, March 1, 2017. Legal
notice is required 10 days before the hearing. (39-2115 to 39-2119)

Within 10 working days following
meeting or before next
meeting (whichever is sooner) ... Clerk to have minutes available for public inspection. (84-1413)

Within 15 days of Passage..... Clerk publishes or posts ordinances passed. (17-613)

Within 30 days following
Council meeting Clerk publishes official proceedings of meeting including claims. (19-1102)

Within 20 days after end
of month..... Treasurer files monthly financial report. (17-606)

* * Clerk must prepare agenda prior to next Council meeting. (84-1411)

VILLAGES

On or before March 1 One and six year plans are due at the Nebraska Department of Roads,
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Board meeting..... Clerk publishes official proceedings of meeting, including claims. (19-1102)

Within 20 days after end
of month..... Treasurer files monthly financial report. (17-606)

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Nebraska Municipal Review Editor and Advertising Sales: Lynn Marienau, 402-476-2829 or lynn@lonm.org

The **NEBRASKA MUNICIPAL REVIEW** is the official publication of the League of Nebraska Municipalities, an association of the cities and villages of Nebraska, published at 1335 L St., Lincoln, Nebraska 68508 — Telephone 402-476-2829; FAX 402-476-7052; Website: www.lonm.org. Periodicals postage paid at Lincoln, Nebraska. Views of contributors, solicited or unsolicited, are their own and not to be construed as having the endorsement of the League unless specifically and explicitly stated by the publisher.

The **NEBRASKA MUNICIPAL REVIEW** is a nonprofit publication administered and supervised by the League of Nebraska Municipalities. All revenue derived from the publication is used by the association to defray publication costs. The **NEBRASKA MUNICIPAL REVIEW** is published monthly. Subscription rates are \$5 per single copy — \$50 plus tax for 12 issues.

POSTMASTER: Send address changes to **NEBRASKA MUNICIPAL REVIEW**, 1335 L Street, Lincoln, Nebraska 68508.



LB 44: League strongly supports legislation on General File to collect state and local sales tax that is already owed, but not being collected by most online retailers

BY L. LYNN REX, EXECUTIVE DIRECTOR, LNM

Thanks to Sen. Dan Watermeier of Syracuse for introducing LB 44, to adopt the Remote Seller Sales Tax Collection Act. On March 15, 2017, the following members of the Revenue Committee voted to advance LB 44 to General File: Sen. Curt Friesen of Henderson, Sen. Mike Groene of North Platte, Sen. Burke Harr of Omaha, Sen. Brett Lindstrom of Omaha and Sen. Paul Schumacher of Columbus. The following Senators were present and not voting: Sen. Jim Smith of Papillion, Sen. Lydia Brasch of Bancroft and Sen. Tyson Larson of O'Neill.

Please email your Senator(s) and ask them to support LB 44 to collect state and local sales tax that is already owed, but not being collected by most online retailers. (Please copy the League on your email at brendah@lonm.org.) Passage of LB 44 would increase revenue for the State of Nebraska by \$30-\$40 million annually and level the playing field with our local brick and mortar retailers. Voters in 222 cities and villages in Nebraska have enacted a local option sales tax; these municipalities would directly benefit from passage of LB 44. Of course, other municipalities without a local option sales tax also would benefit!

LB 44 would require remote sellers (online retailers without a physical presence in our state) to collect and

remit state and local sales tax if their gross revenue in Nebraska exceeds \$100,000 or their sales in Nebraska consist of 200 or more separate transactions. To encourage remote sellers to collect and remit sales tax as provided in LB 44, the bill has several requirements and penalty provisions. As noted in the Revenue Committee Statement, if the remote seller refuses to collect Nebraska sales tax, the remote seller would have to notify Nebraska purchasers that the sales or use tax is due and that the State of Nebraska requires the purchaser to file a sales or use tax return. The remote seller would be subject to a \$5 penalty for each failure to notify. In addition, the remote seller would be required to send notification annually to Nebraska purchasers by Jan. 31 stating the total amount of purchases made in the previous year; failure to send this notification would subject the remote seller to a \$10 penalty. The remote seller also would be required to file an annual statement for each purchaser by March 1 with the Department of Revenue indicating the total amount paid in the previous year; failure to do so would subject the remote seller to a penalty of \$10 for each purchaser that should have been included on the statement.

Thanks to Sen. John McCollister of Omaha, who introduced LB 564 to adopt the Nebraska Main Street Fairness Act. As reported in *League Legisla-*



Sen. Dan Watermeier

tive Bulletin #5, on Jan. 27, 2017, the Revenue Committee held a joint hearing on LB 44 (Watermeier) and LB 564 (McCollister). Both bills would collect state and local option sales tax that is already owed, but not being collected by most online retailers. In addition, both bills would enable local retailers to be more competitive with online retailers, which do not pay property taxes or contribute to local charities and community events. As noted above, the Revenue Committee voted to advance LB 44 instead of LB 564 to General File. Thanks to the following municipal officials who testified at the legislative hearing on Jan. 27 with the League in strong support of LB 44 (Watermeier)

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and LB 574 (McCollister): Mayor **Doug Kindig**, representing La Vista and the “United Cities of Sarpy County;” **Randy Gates**, Finance Officer of Norfolk; **Paul Briseno**, Assistant City Manager of Kearney, representing the “Greater Nebraska Cities;” and, **Don Herz**, Interim Finance Director of Lincoln. Thanks to the many municipal officials who sent letters of support for both bills.

A special thanks to the **Nebraska Retailers Association** and the following organizations, which also testified or submitted letters in support of the legislation: **Center for Rural Affairs, Lincoln Independent Business Association, Nebraska Association of School Boards, Nebraska Cattlemen, Nebraska Chamber of Commerce and Industry, Nebraska Farm Bureau, Nebraska Farmers Union, Nebraska Grocery Industry Association, Nebraska Retail Association, Norfolk Area Chamber of Commerce, Open Sky Policy Institute** and **Wright’s Jewelers**.

RECENT DEVELOPMENTS

As of Jan. 27, 2017, a total of 35 bills have been introduced in 17 states (including Nebraska) to promote broader collection of state and local sales taxes, which are already legally due and payable. Amazon has agreed to voluntarily collect state and local option sales tax, but the overwhelming majority of online retailers do not. **Amazon’s decision to voluntarily collect state and local option sales tax in Nebraska will result in more than \$11 million annually for the state alone. Passage of LB 44 would increase revenue for the State of Nebraska by an additional \$30-\$40 million annually.**

Thanks to the State and Local Legal Center for informing the National League of Cities and state municipal

leagues of the following recent developments. As anticipated, a state trial court judge in South Dakota recently ruled in *South Dakota v. Wayfair* that the South Dakota law requiring remote sellers to collect sales tax is unconstitutional. As noted by the judge, lower courts are required to follow the precedent established by the U.S. Supreme Court. In 1992, the U.S. Supreme Court held in *Quill Corp. v. North Dakota* that states cannot require retailers (remote sellers) to collect sales tax if there is no physical presence in the state. The South Dakota Legislature intentionally passed a law contradicting the precedent set by the U.S. Supreme Court knowing that a lower court would hold it to be unconstitutional. South Dakota will appeal the case first to the South Dakota Supreme Court, which also will rule against the state because of the precedent set by the U.S. Supreme Court in *Quill*. South Dakota then can appeal the ruling of the South Dakota Supreme Court to the U.S. Supreme Court in anticipation of overturning the *Quill* case.

In another case that was before the U.S. Supreme Court in 2015, *Direct Marketing Association v. Brohl*, Justice Kennedy of the U.S. Supreme Court stated that “the legal system should find an appropriate case for this Court to reexamine *Quill*.” Justice Kennedy also said that internet sales have dramatically increased since 1992 and states have been unable to collect most of the taxes due on sales from out-of-state remote sellers. **Hopefully, the South Dakota case will enable the U.S. Supreme Court to reconsider its ruling in *Quill* to enable states to collect state and local sales tax, which is already due from remote sellers.**

After South Dakota’s passage of a state law, the South Dakota Dept. of Revenue

recently sent letters to over 200 online retailers essentially stating that they do not have to collect state and local sales tax if they think it is unconstitutional, but if South Dakota wins the pending lawsuit, the online retailers will owe the tax retroactively. Over 100 online retailers decided to voluntarily comply with the South Dakota law.

President Trump recently nominated Judge Gorsuch to the U.S. Supreme Court. In *Direct Marketing Association v. Brohl*, Judge Gorsuch implied that the U.S. Supreme Court should overturn the *Quill* case to enable state and local governments to collect sales tax from remote sellers. **As a member of the U.S. Supreme Court, Judge Gorsuch may very well be the deciding vote to overturn the *Quill* case.**

It should be noted that the South Dakota law only requires collection, not reporting. LB 44 would require collection and reporting by the online retailer. By combining South Dakota’s “collection” law and the Colorado “reporting” law into a state law in Nebraska, our state would have the best chance of having such a bill declared constitutional by a court of law. The rationale is that the constitutionality of the South Dakota law is being contested, but the constitutionality of the Colorado law already has been determined. ■



Competing for growth

BY GOV. PETE RICKETTS

Over the last two years, Nebraska has hit some key growth benchmarks. In 2015, for the first time, Nebraska had over one million non-farm jobs. Our population hit an all-time high of 1.9 million people last year. And just a few weeks ago, Nebraska won the Governor's Cup for the most capital investment projects per capita in the nation.

Even with all these successes, Nebraska should not rest. We must continue to look for ways to become more competitive nationally.

One significant area that Nebraska is not competitive in is taxes. We are a high tax state. *Bloomberg* ranks Nebraska 16th highest for income taxes and *USA Today* rates us 5th highest for property taxes. Recently, the Tax Foundation released a new study showing Nebraska ranks 14th highest nationally for income tax collections per capita. High taxes stifle growth, hinder job creation and burden family budgets. Our tax rates also matter because site selectors in charge of picking venues for new investments screen out high tax states for new projects, meaning Nebraska can miss out on being considered for some investments.

If we are going to stay competitive, we must make progress in bringing our tax rates down. Over the past two

We must continue to look for ways to become more competitive nationally.

years, we successfully delivered more than \$400 million in direct property tax relief for all property owners across the state and an additional \$40 million in property tax relief targeted at ag land taxpayers. Additionally, we worked with the Legislature last year to put more resources toward state aid to K-12 schools along with new controls on school spending.

This year, we are working with the Legislature on new reforms to income and property taxes to make our state more tax competitive.

In the area of income tax, I am working with Revenue Committee Chairman Sen. Jim Smith of Papillion to bring down our top tax rate from 6.84 percent to under 6 percent. Bringing down the top tax rate is critical because 90 percent of income taxes are paid by Nebraskans who pay in the top tax bracket. This includes solidly middle class families making more than \$29,831 of taxable income. Additionally, 90 percent of Nebraska businesses pay individual income taxes, according to the Nebraska State Chamber of Commerce. Cutting in-

come taxes will give more money back to family budgets, help Main Street grow job opportunities and make our state more attractive to job creators.

On property taxes, I am working with Ag Committee Chairperson Sen. Lydia Brasch of Bancroft to change the way ag land is valued for taxation purposes. With the Agricultural Valuation Fairness Act, we are proposing to move assessments for ag land from a market-based system to an income-potential approach. This will help valuations to better reflect the income of Nebraska's ag producers. This is long-term, structural reform that will help ensure our state's number one industry remains strong. This system has been suggested to me by ag producers across the state, because of the success other ag states have experienced. If the Agricultural Valuation Fairness Act were in place for 2017, it would have reduced ag land valuations by about \$2.2 billion.

Getting both income and property tax reform done this year is critical for growing both Main Street and agriculture. ■

Norfolk tree work part of city projects

The City of Norfolk has been taking the first steps in new construction projects in the city by removing declining trees and trees that will be affected by the eventual infestation of the emerald ash borer.

Trees near the East Norfolk Avenue bridge and the Norfolk Public Library have been removed in recent weeks in preparation for the replacement of the bridge and the renovation and expansion of the library projects that will both begin this spring.

Before migratory season

It was best to remove any of the trees before the bird migratory and nesting season. Many of the trees near the library were ash trees that have been dying across the country as the emerald ash borer moved into the area. A diverse selection of trees and other native plantings are being incorporated into the landscape plan for both the bridge and the library projects," said Shane Weidner, Norfolk City Administrator.

City officials contacted Garrett



Jessica Chamberlain, Norfolk Public Library Director, looks over landscaping plans for the library. Photo courtesy of the City of Norfolk.

Fischer of Fischer Tree Central Inc. to remove the trees from the banks of the North Fork of the Elkhorn River just to the south of the bridge on east Norfolk Avenue. He and his crew removed the trees in January, a move that had to be made before bats nested in them in mid-February. Although he's had inquiries, he has uses for the wood that is stacked on the bank of the river.

"The wood is not for public sale. I'll save the logs to use in my saw mill. Pieces that are too small for the saw mill will be used for firewood. The smaller wood chips have already been hauled to a local farmer for livestock bedding," Fischer said.

New landscaping

New landscaping will eventually be put in as part of a new trail system that will go under the bridge. The project is expected to be completed this fall.

The wood harvested from the library is being saved and will be used for various projects, including a saw mill demonstration at a City of Norfolk

Tree Advisory Board event.

"Part of the library expansion/renovation project calls for new landscaping. We are working on a design that will be workable for the space, educate patrons on different species and add natural beauty to the area," Weidner said.

Working on grants

Norfolk Mayor Josh Moenning said members of the Tree Advisory Board would be working on grants for landscape projects across the city. Members of the board include Dr. G. Tom Surber; Mickella Brabec; Jarad Dahlkoetter; and, Terry Hochstein. New members appointed to the board by the Mayor and approved by the City Council in February include Hope Voss; Stan Staab; April Martens; and, Adam Peterson.

For more information about trees in the City of Norfolk, go to norfolkne.gov/parks/Tree_Advisory_Board.htm. ■

Source – City of Norfolk

**Look at the League's
Facebook page
at www.facebook.com/leaguene
Be sure to "Like" us**



I need a 'mental health day' off from work!

BY JERRY L. PIGSLEY, WOODS & AITKEN LLP,
LONM LABOR AND EMPLOYMENT LAW COUNSEL

You have an employee come to you and say the stress of their job is getting to be too much and they need a "mental health day" off from work. How can you respond as their employer?

DEPRESSION, PTSD AND OTHER MENTAL HEALTH CONDITIONS IN THE WORKPLACE: YOUR LEGAL RIGHTS

The EEOC in December issued this resource document that explains workplace rights for individuals with mental health conditions under the Americans with Disabilities Act of 1990 (ADA). The EEOC in this resource document found employees who have depression, post-traumatic stress disorder (PTSD), or another mental health condition, are protected against discrimination and harassment at work because of their condition, have workplace privacy rights and may have a legal right to get reasonable accommodations that can help them perform and keep their job.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The federal FMLA may cover an employee's leave request if the mental illness relating from stress qualifies as

a "serious health condition" under the FMLA. Accordingly, the municipality must know the leave request "triggers" and recognize, based on the information that it has, when an employee's absence may qualify as FMLA leave and ask for more information if appropriate.

MUNICIPALITY COVERAGE

The federal ADA covers municipalities with 15 or more employees. Nebraska also has a state law that prohibits municipalities, regardless of the number of employees, from discriminating in the workplace based on disability. The federal FMLA covers municipalities regardless of the number of employees. However, the FMLA excludes from employee eligibility, any employee who is employed at a workplace where fewer than 50 employees are employed by the employer within 75 miles.

RESPONSE TO A REASONABLE ACCOMMODATION REQUEST

The EEOC, in its recent resource document on mental health coverage, stated in response to the following question: "What will happen after I ask for a reasonable accommodation?"

Your employer may ask you to put

your request in writing, and to generally describe your condition and how it affects your work. The employer also may ask you to submit a letter from your health care provider documenting that you have a mental health condition and that you need an accommodation because of it. If you do not want the employer to know your specific diagnosis, it may be enough to provide documentation that describes your condition more generally (by stating, for example, that you have an anxiety disorder). Your employer also might ask your health care provider whether particular accommodations would meet your needs. You can help your health care provider understand the law of reasonable accommodation by bringing a copy of the EEOC publication, *The Mental Health Provider's Role in a Client's Request for a Reasonable Accommodation at Work*, to your appointment.

If a reasonable accommodation would help you to do your job, your employer must give you one unless the accommodation involves significant difficulty or expense. If more than one accommodation would work, the employer can choose which one to

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give you. Your employer can't legally fire you, or refuse to hire or promote you, because you asked for a reasonable accommodation or because you need one. It also cannot charge you for the cost of the accommodation.

EMPLOYEE CANNOT DO HIS OR HER REGULAR JOB EVEN WITH AN ACCOMMODATION

According to the EEOC, even if your employee cannot perform all the essential functions of their job to normal standards and has no paid leave available, the employee still may be entitled to unpaid leave as a reasonable accommodation if that leave will help the employee get to a point where he or she can perform those functions. The EEOC also points out that the employee may qualify for FMLA leave which is enforced by the U.S. Department of Labor. Finally, if the employee is permanently unable to do their regular job, the EEOC

recommends that the employee ask the municipality to reassign them to a job that they can do as a reasonable accommodation.

MUNICIPALITY'S PROACTIVE RESPONSE

Municipalities need to ensure that they are ADA and FMLA compliant while also combatting abuse. Municipalities need to ensure that their leave policies are compliant with the federal and state laws and that supervisors understand these laws. Supervisors need to be aware of the paperwork requirements for leave requests, particularly under the FMLA, and what they can ask of an employee when that employee requests that "mental health day off" from work. ■

Editor's Note: This article is not intended to provide legal advice to our readers. Rather, this article is intended to alert our readers to new and developing issues and to provide some common sense answers to complex legal questions. Readers are urged to consult their own legal counsel or the author of this article if the reader

Local sales and use tax rate changes announced

Nebraska State Tax Commissioner Tony Fulton March 3 announced that effective April 1, 2017, the following changes will be effective for local sales and use tax rates.

- Beaver Crossing, Edison and Greeley will each start a local sales and use tax at the rate of 1 percent.
- Clarkson, Fort Calhoun and Pilger will each start a local sales and use tax at the rate of 1.5 percent.
- Blue Hill, Central City and

Fairfield will each increase the local sales and use tax rate to 1.5 percent.

- Chappell, Crete and Pawnee City will each increase the local sales and use tax rate to 2 percent.

These changes are on the Nebraska Department of Revenue's website at revenue.nebraska.gov under the Sales and Use Tax link.

Also, there are no changes in local sales and use tax for the quarter starting on July 1, 2017. ■

Source – Nebraska Department of Revenue

wishes to obtain a specific legal opinion regarding how these legal standards may apply to their particular circumstances. The author of this article, Jerry L. Pigsley, can be contacted at (402) 437-8500, jpigsley@woodsaitken.com, or at Woods & Aitken LLP, 301 S. 13th Street, Suite 500, Lincoln, NE 68508-2578.

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City of Kearney has lowest municipal property tax levy in Nebraska

An annual survey has recently released municipal property tax levies for 2016-2017 and Kearney has the lowest property tax levy among first class cities in the state. (*Cities are classified as first class if they have more than 5,000 population.*)

The City of Kearney has a property tax levy of .13736, or about 14 cents per \$100 of valuation. On a house valued at \$200,000, the city receives \$280 in property taxes. This is significant considering the scope and level of services provided in Kearney.

Kearney City Manager Michael Morgan, said: "This shows the value of local government to residents,

the services received – streets, parks, police, fire, library and airport – are provided with a very low property tax burden."

Mayor Stan Clouse said, "The city council is very proud of our city administration and employees for, once again, having one of the lowest municipal levies in the state. Kearney is always in the top two or three cities in this ranking and it is a tribute to the diligence and hard work of our city employees in managing day-to-day activities of our city while ensuring our quality of life in Kearney is not compromised." ■

Source – City of Kearney



Kearney Mayor Stan Clouse

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Site Selection Magazine recognizes major economic development awards for Omaha-Bellevue-Council Bluffs

The Greater Omaha Chamber is cheering a repeat win with regional implications. For the second year in a row, and the third time since 2014, *Site Selection* magazine has ranked Omaha-Bellevue-Council Bluffs the No. 1 Tier-2 metro area (*population between 200,000 – 1 million*) for new and expanded corporate projects.

David G. Brown, Greater Omaha Chamber president and CEO, said the key to award-winning economic development is regional collaboration. The chamber helms the Greater Omaha Chamber Economic Development Partnership, an eight-county economic development program dedicated to creating jobs and encouraging capital investment throughout southeast Nebraska and southwest Iowa.

"We celebrate this latest top ranking with all of our partner counties, city leaders and the Nebraska and Iowa Departments of Economic Development," Brown said. "We're all driven by the same goal – the higher quality of life that comes from a steady rush of new jobs and investment."

Prominent economic development projects announced in Omaha-Council Bluffs in 2016 contributed more than \$612 million in new capital investment.

Bellevue Mayor Rita Sanders joined Nebraska Gov. Pete Ricketts, Omaha Mayor Jean Stothert, Council Bluffs Mayor Matt Walsh and representatives of the Greater Omaha Chamber and *Site Selection* Magazine at a recognition ceremony March 2. ■

Source – City of Bellevue

Omaha Mayor increases support for summer jobs program

A job training program to prepare teens and young adults for careers will receive a huge boost from Omaha Mayor Jean Stothert.

Step-Up Omaha Summer Jobs is an annual program created by the Empowerment Network in 2012 to place applicants in summer jobs and career exploration programs.

In each of the last three years, the City of Omaha has contributed \$500,000 to Step-Up. At a 2017 kick-off event, Mayor Stothert repeated her pledge to increase the city's funding to \$1 million in 2018.

"This level of support will help Step-Up grow to a year-round program," Mayor Stothert said. "We invest more money in Step-Up than any other job training program, because it works."

Omaha Police Chief Todd Schmaderer believes there is a direct connection between Step-Up and the reduction in violent crime during the summer months. "The Empower-

ment Network is a valuable community partner for law enforcement and Mayor Stothert's increased financial support will have significant benefits for our community," said Schmaderer.

Step-Up Director Jami Anders-Kemp called Mayor Stothert a great partner and called on businesses, non-profit organizations and churches to become partners by creating jobs or providing additional funding. "I'm asking everyone here to bring in at least two new businesses this year," Anders-Kemp said.

Woodmen Life is a long-time partner with Step-Up, placing participants in summer jobs.

Woodmen Executive Vice-President Denise McCauley calls Step-Up a good business decision.

"Woodmen Life is a company that is community oriented and we have always had a focus on youth," McCauley said. "My call to action is to ask other business leaders to take the initiative



Omaha Mayor Jean Stothert

to support the program. It helps the community and your business."

Step-Up is open to applicants age 14-21. ■

Source – City of Omaha

Share news from your city or village

Share your city or village's news with fellow municipal officials across the state by sending information for the *Nebraska Municipal Review* to the League of Nebraska Municipalities, Attn: Lynn Marienau at 1335 L Street, Lincoln, NE 68508, 402-476-2829 by phone, 402-476-7052 by fax, or lynnm@lonm.org by e-mail. ■

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2017 Midwinter Conference Highlights

Municipal officials from across the state attended the 2017 Midwinter Conference Feb. 27-28 in Lincoln at the Cornhusker Marriott Hotel, where they heard speakers conduct a variety of sessions on topics ranging from regulating wireless small cell providers to Tax Increment Financing and what elected and appointed officials need to know about the use of deadly force by police officers.

Gov. Pete Ricketts; Papillion Sen. Jim Smith, Revenue Committee Chairman; Henderson Sen. Curt Friesen, Transportation and Telecommunications Committee Chairman; and, Kyle Schneweis, Department of Roads Director, received special awards for their work in helping to pass **LB 960** (2016), the Transportation Innovation Act. Kim Neiman, Pilger Clerk/Treasurer, received special recognition for being named Local Floodplain Manager of the Year by the National Association of State Floodplain Managers.

Municipal Officials also enjoyed the Senators Appreciation Luncheon, an annual highlight of this conference. Speaker Jim Scheer introduced lawmakers attending the Senators Appreciation Luncheon during the conference. ■



League President Alan Michl, Exeter Board Chairperson, presents Gov. Pete Ricketts with special award for passage of LB 960 (2016), the Transportation Innovation Act. Presentation took place during Feb. 27 luncheon. Staff photo.



From left: League Past President Marlene Johnson, West Point Mayor; League President Alan Michl, Exeter Board Chairperson; Gov. Pete Ricketts; League Vice President Dwight Livingston, North Platte Mayor; League President-Elect Wendall Gaston, Sidney City Council Member. Staff photo.



Top: Norfolk Sen. Jim Scheer, Speaker of the Legislature. Middle left from left: League President Alan Michl, Exeter Board Chairperson, presents special award to Papillion Sen. Jim Smith, Revenue Committee Chairperson, for passage of LB 960 (2016), the Transportation Innovation Act. Middle right from left: Kimberly Neiman, Pilger Clerk/Treasurer, receives special recognition for her award as Floodplain Manager of the Year from the National Association of State Floodplain Managers.



Bottom left: Omaha Sen. Justin Wayne, Urban Affairs Committee Chairperson. Bottom right from left: League President Alan Michl, Exeter Board Chairperson, presents special award to Henderson Sen. Curt Friesen, Transportation and Telecommunications Committee Chairperson, for passage of LB 960 (2016), the Transportation Innovation Act.

2017 Midwinter Conference Highlights



Top from left: Shari Michl, wife of League President Alan Michl, Exeter Board Chairperson, who is seated on the right. In the center is Gov. Pete Ricketts.

Middle left: Plattsmouth Mayor Paul Lambert. Middle right from left: Jim Hawks, North Platte City Administrator; Joe Patterson, Hastings City Administrator.

Bottom left from left: Kyle Schneweis, Department of Roads Director; Norfolk Mayor Josh Moenning.

Bottom right: Norfolk Police Chief Bill Mizner.





Top left from left: Kyle Schneeweis, Department of Roads Director, receives special award from League President Alan Michl, Exeter Board Chairperson for passage of LB 960 in 2016.

Top right: Frank Daley, Executive Director, Nebraska Accountability and Disclosure Commission.

Middle left from left: Angie Lauritsen, Gretna Council Member; Jeff Kooistra, Gretna City Administrator.

Middle right: Nathan Johnson, City Manager, Scottsbluff.

Bottom from left: Gov. Pete Ricketts; Kim Neiman, Pilger Clerk/Treasurer, League President Alan Michl, Exeter Board Chairperson; Sen. Jim Smith, Revenue Committee Chairperson; Henderson Sen. Curt Friesen, Transportation and Telecommunications Committee Chairperson.



2017 Midwinter Conference Highlights



*Top: David Young, Right-of-Way Manager, Lincoln.
Middle left from left: Kyle Svec, City Administrator, Geneva;
Eric Kamler, Council Member, Geneva.
Middle right: Laura Hart, Council Member, Loup City.
Bottom left: Dennis Burnside, Lexington Assistant City
Manager.
Bottom right: Cecil Burt, Broken Bow Mayor.*



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NE150 Celebration's 'Truckin' Through Nebraska: A Mobile Children's Museum' to visit 42 communities

First Lady Susanne Shore in February announced preliminary exhibit and tour details of the Nebraska150 Celebration's largest project, "Truckin' Through Nebraska: A Mobile Children's Museum."

First Lady Susanne Shore said, "We created the Mobile Children's Museum to provide a fun, hands-on learning experience for children who may not normally be able to easily access a children's museum. Through play, interactivity and the latest technology, Nebraska's children will explore their heritage and envision their futures."

We hope the experience will help power the imagination and create an excitement about learning."

The Mobile Children's Museum is contained in a 53-foot state-of-the-art custom air-ride, double-expandable trailer that is specially designed and outfitted for traveling museum exhibits. The unit is climate controlled, has GPS tracking, Wi-Fi, its own generator and is ADA accessible. Interior exhibits will include areas where kids will build shelters and test them in a wind chamber or earthquake simulator, design their own 10-acre homestead, test their knowledge of Nebraska, create their own movie, explore toys from the past, craft their own postcards and more. Exhibits also will surround the exterior of the trailer, allowing for optimal play and



learning space.

Those exhibits will include a timed "chore" challenge obstacle course, foam block invention area, toy creation station and more. The Mobile Children's Museum will launch in early April from the Omaha Children's Museum, which partnered with the Nebraska150 Celebration on the project. Shore added, "We could not have accomplished this enormous undertaking without the support and guidance of the Omaha Children's Museum. We are incredibly grateful for their partnership and the expertise they brought to the project."

Omaha Children's Museum Executive Director Lindy Hoyer said, "We serve the metropolitan area well and we saw this mobile museum as a great opportunity to stretch our mission across the state. We wanted to work with the Nebraska150 Celebration to help create the mobile museum because it was a great opportunity to engage young children and their families in these communities. I grew up in a small town in Nebraska, and I know how something like this can energize an entire community."

Following is an alphabetical list of the



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Continued on page 19

Continued from page 18

communities the Mobile Children's Museum will visit in 2017. Tour dates and hours of operation will be announced in the coming weeks.

Ainsworth; Albion; Alliance; Beatrice; Blair; Broken Bow; Burwell; Central City; Chadron; Chappell; Columbus; Crofton; Falls City; Gordon; Grand Island – Nebraska State Fair; Hastings; Hebron; Holdrege; Imperial; Kimball; Lexington; Lincoln – NE150 Salute to the Good Life; Madison; McCook; Mullen; Nebraska City; Neligh; North Platte; Omaha – Launch Site in April; O'Neill; Ord; Plainview; Ravenna; Red Cloud; Scottsbluff; Seward; South Sioux City; Valentine; Wahoo; Wayne; West Point; York.

While exhibits in the Mobile Children's Museum are intended for children ages 5-12, audiences of all ages are welcome. Admission is free and open to the public.

The Mobile Children's Museum is

League magazine available on website

The League of Nebraska Municipalities is pleased to announce that the *Nebraska Municipal Review* is available on the League's website at <http://www.lonm.org/> under the "Publications" tab.

As always, we encourage you to share your city or village's news with fellow municipal officials across the state by sending information for the *Nebraska Municipal Review* to the League of Nebraska Municipalities, Attn: Lynn Marienau at 1335 L Street, Lincoln, NE 68508, 402-476-2829 by phone or lynnm@lonm.org by e-mail. ■

sponsored in part by Children's Hospital and First National Bank. More information about the Nebraska150 Celebration is available at www.ne150.org

on Facebook at facebook.com/nebraska150 and Twitter @ne150. ■

Source – Nebraska Statehood 150

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Grand Island Literacy Council receives CDBG to expand and add services

The City of Grand Island Community Development Division recently awarded a \$50,000 Community Development Block Grant (CDBG) to the Literacy Council of Grand Island. The council will use this funding to expand the English as a Second Language (ESL) program and offer more tutoring opportunities for adults. In addition, the organization will begin offering life skills classes, hiring teachers to instruct group classes and developing the Language Lab by adding additional equipment and software.

Student numbers increased

The Literacy Council was established in 1981 and is a non-profit organization that provides free individualized literacy and English language instruction. Student numbers have increased dramatically, tripling in the past three years from 105 students served in 2013 to 323 in 2016. The CDBG

grant will allow the council to expand services to more effectively meet the crucial need for literacy training in Grand Island.

Charley Falmlen, Community Development Administrator, said: "The Literacy Council's grant application was very well-researched and executed. The agency is motivated and driven to do this expansion and to do it right."

The Literacy Council will provide the Community Development Division with quarterly reports about the ongoing implementation of the program.

Immigrants, refugees

Kurt Stoppkotte, Executive Director of the Literacy Council of Grand Island said, "While the Literacy Council provides educational services to all members of the Grand Island community, the vast majority of our students are immigrants and refugees. This grant will allow individuals to learn skills necessary to obtain employment,

education and to continue to become productive individuals within the community of Grand Island."

In October 2015, the city was awarded an annual allocation of \$348,927 from the U.S. Department of Housing and Urban Development's Community Development Block Grant Program. Falmlen wrote the 2016-17 Annual Action Plan, based on community needs, established in community wide plans such as Grow Grand Island. In August 2016, the Grand Island City Council approved the plan that included projects in Grand Island to benefit low-to-moderate income persons or areas.

Falmlen stated, "One of the overarching goals of the 2016-2017 Annual Action Plan is to support public services for vulnerable populations. The Literacy Council directly aligns with the city's CDBG goals."

Continuum of Care

As part of this plan, the Community Development Division created a "Continuum of Care" grant to be awarded to a Continuum of Care member. The Continuum of Care is a Housing Urban Development (HUD) directed collaboration that aligns service providers with a continuum of services offered to low-income persons.

Other CDBG allocations available this year include a Small Business Rental Assistance Program for a large section of Grand Island's downtown Railside area, lot acquisition support for Habitat for Humanity and a design program for Railside among others. Additional grants for public services should be available again at the end of 2017.

Source – City of Grand Island



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Positions

Utility Superintendent/Maintenance Supervisor. Village of Potter is now accepting applications for the Utility Superintendent/Maintenance Supervisor position. Must be 19 years of age or older, with a High School diploma or G.E.D., hold a valid driver's license, be able to obtain a CDL Class B endorsement within 30 days of employment, a Grade 4 Certification Water Operators License within 6 months of employment, and pass a pre-employment drug screening. The successful applicant must establish residency within 5 miles of the Village of Potter. Duties include, but are not limited to, maintenance of streets, operation of the water and sewer system, maintenance of the parks, sanitation services, and operation of light to heavy construction/maintenance equipment. Wages are dependent upon qualifications and experience. Benefits are included. Applications and resumes will be accepted until the position is filled. For more information contact the Village of Potter at 308-879-4332 [Call: 308-879-4332] or 922 Sherman Street, PO Box 247, Potter, NE 69156. The Village of Potter is an Equal Opportunity Provider and Employer.

Full-time Water/Wastewater Apprentice/Operator. City of Broken Bow Water/Wastewater Department is accepting applications for full-time employment.

This position involves but not limited to construction of new water and sewer mains, tapping services, clean-up of job sites, shoveling, raking, and assisting other departments as needed. Multiple skill levels are needed. Department of Health and Human Services certification helpful, but not required. CDL not required, but must be able to obtain CDL within 6 months. Willing to train the right person. Wage dependent on qualifications and a better than average benefit package.

Positions

Applications and job description are available at the City Clerk's located on the main floor at 314 South 10th Avenue or www.cityofbrokenbow.org. Submit application and related information to the City of Broken Bow, ATTN: City Clerk, 314 South 10th Avenue, P.O. Box 504, Broken Bow, NE 68822, or via email at clerk@cityofbrokenbow.org. Applications will be taken until the position is filled. Broken Bow is an EOE.

For more information please contact Water/Wastewater Superintendent Darren Marten at (308) 870-3421 [Call: (308) 870-3421]

Activities and Community Center Coordinator. City of Hickman Nebraska has an opening for a part time Activities & Community Center Coordinator. This position requires a minimum of a High School Diploma (or equivalent) with strong organizational skills, computer knowledge, youth activities and customer service experience. For complete job description & application requirements, please contact: koelke@hickman.ne.gov, or call 402.792.2212 [Call: 402.792.2212] . E.O.E. - Open until filled.

Deputy City Clerk. City of Hickman Nebraska has an opening for a full time Deputy City Clerk. This position requires a minimum of an Associate's Degree with strong emphasis in bookkeeping or related years of proven & verifiable work experience.

For complete job description & application requirements, please contact: koelke@hickman.ne.gov, or call 402.792.2212 [Call: 402.792.2212] . E.O.E. - Open until filled.

See page 22 for Professional Directory

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