

NEBRASKA MUNICIPAL REVIEW

■ Bills enacted during 2017 session
of interest to municipalities

■ Contractor issues:
Performance bonds

■ Columbus receives \$750,000 grant
for Library/Cultural Arts Center project

JULY 2017



2017 Municipal Accounting and Finance Conference Highlights



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July 2017

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Top: Deann Haeffner, CPA, Assistant Deputy Auditor, Nebraska Auditor of Public Accounts' Office.

Middle left: Leslie S. Donley, Assistant Attorney General, Nebraska Dept. of Justice.

Middle right from left: Barb Hodges, Lexington, outgoing chairperson; Heather Lindsley, York, committee member; Geralyn Konruff, Chappell, incoming vice chairperson; Sarah Davis, Palmer, committee member; Kelly Oelke, Hickman, incoming chairperson. Bottom left: Sherrie Bartell, Clerk/Treasurer, Sutton; Barbra Mikkelsen, Clerk/Treasurer, Aurora; Di Ana Leiningner, Deputy Clerk, Aurora.

Bottom right: Kearney Mayor Stan Clouse.

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

Annual Conference.....Sept. 20-22, 2017, Cornhusker Marriott Hotel, Lincoln
Utilities/Public Works Section Annual Conference.....Jan. 17-19, 2018, Cornhusker Marriott Hotel, Lincoln
Midwinter Conference.....Feb. 26-27, 2018, Cornhusker Marriott Hotel, Lincoln

Municipal Legal Calendar

(All statute citations to Revised Statutes of Nebraska)

JULY 2017

CITIES OF THE FIRST CLASS

July 1.....	Chair of the Park and Recreation Commissioners must file with City Clerk an itemized statement of all expenditures of the Park and Recreation Board. (16-697)
Between July 10 and July 30.....	Advertise for Class C Liquor License renewals. (53-135.01)
Between July 15 and August 15.....	Job titles and salaries of employees shall be published. (19-1102)
Prior to publication of notice of budget hearing	Council prepares proposed budget statement and makes it available to the public. (13-504) *Does not apply to cities with a biennial budget that are in the second year of the biennial budget period.
On or before August 20.....	County Assessor certifies to each governing body the current valuation of all property subject to the applicable levy. (13-509)
On or before September 20	Budget Statement filed with County Clerk and State Auditor (13-508) *Does not apply to cities with a biennial budget that are in the second year of the biennial budget period.
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)
* *	Clerk must prepare agenda prior to next Council meeting. (84-1411)
End of Each Quarter	Report from Depository Banks due. (16-714)

VILLAGES AND CITIES OF THE SECOND CLASS

Between July 10 and July 30.....	Advertise for Class C Liquor License renewals. (53-135.01)
Between July 15 and August 15.....	Job titles and salaries of employees shall be published. (19-1102)
Prior to publication of notice of budget hearing	Governing body prepares proposed budget statement and makes it available to the public. (13-504) *Does not apply to cities with a biennial budget that are in the second year of the biennial budget period.
On or before August 20.....	County Assessor certifies to each governing body the current valuation of all property subject to the applicable levy. (13-509)
On or before September 20	Budget statement filed with County Clerk and State Auditor. (13-508) *Does not apply to cities with a biennial budget that are in the second year of the biennial budget period.
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 or Board meeting. (84-1411)

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

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Please join us in Lincoln for the 2017 Annual Conference

— BY ALAN MICHL, CHAIRPERSON OF EXETER VILLAGE BOARD AND LEAGUE PRESIDENT

The 108th League Annual Conference is slated for Sept. 20-22 at the Cornhusker Marriott Hotel in Lincoln. I hope that you and other representatives from your city or village plan to attend this important conference. Sessions this year focus on significant issues facing all of us and the daily operation of your municipality, you as a local leader and your future.

Essential to League conferences is the chance that they give us to come together and celebrate what it is to be municipal officials – the benefits and challenges that public service entails. League conferences provide a chance to share and learn and they offer opportunities to hear the latest information about trends, rules, regulations, legislation and court cases.

Some of the topics that will be offered for you at the Annual Conference include:

- **Cybersecurity.** Cyberattacks, including the ransomware attacks that struck this summer, are happening globally and in every industry. Learn about protecting your city or village.
- **Fair housing laws, rules and regulations.** Know these important laws.
- **Tax Increment Financing (TIF).** Learn the intricate details of this process to make use of TIF in your community.
- **E-Verify requirements.** U.S. Department of Homeland Security representatives will explain these obligations.
- **“Road to the 2020 Census.”** What your municipality needs to know to be prepared for the census.
- **Top 10 questions** asked of League of Nebraska Municipalities staff.
- **Contractor Issues and Performance/Surety Bonds.** Learn which questions to ask your insurer who provides performances/surety bonds to protect your

municipality when contractors fail to perform.

- **Successful strategies** for addressing abandoned property.
- **Effectively regulating** wireless telecommunications facilities.
- **How to effectively communicate** difficult environmental decisions to the public.
- **League Legislative Report.** You will want to attend this always popular session to hear about bills that were passed in 2017 and what lies ahead in 2018, which will be a 60-day, or short, session.

The discussions that arise during track sessions always provide additional insight on what we can do in our own cities and villages. It is much easier and far less time consuming to listen to what other municipalities do and adapt those ideas in our own communities. These topics are significant to everyone involved in municipal government and the League of Nebraska Municipalities is honored to serve as the main advocacy and training organization for Nebraska's cities and villages.

Our capitol city has much to offer visitors, including a vibrant downtown and Haymarket area with great restaurants and pubs, live music and theater. Take time to see the Railyard on Canopy Street or the Pinnacle Bank Arena and check out Lincoln's shopping centers and specialty shops.

I look forward to seeing you at the Annual Conference in Lincoln at the Cornhusker Marriott Hotel. ■

Infrastructure to help Nebraska grow

BY GOV. PETE RICKETTS



Infrastructure provides the framework that helps bring communities together and grow our state. Over the years, Nebraska has invested in quality infrastructure, earning us high marks nationally. For example, the Reason Foundation rates our highway system fourth in the nation for performance and cost-effectiveness. During my first two-and-a-half years in office, my team has worked to maintain and invest in our quality infrastructure across the state. Whether it's accelerated completion of our state's expressway system, repairing deficient bridges or cutting red tape, we are taking steps to ensure our state's infrastructure leads the nation for years to come.

In 2016, I made the Transportation Innovation Act (TIA) one of my top priorities. Working with the Legislature, we targeted \$450 million toward accelerated expressway construction, county bridge repairs and investments in infrastructure projects to help grow Nebraska. Capitol observers hailed the passage of this initiative as "historic" and "landmark" because it promised accelerated completion of the state's long-delayed expressway system. Last fall, we announced the initial projects funded by the TIA, which include projects across the state from Minatare to Omaha. In the coming years, TIA will build the infrastructure vital to agriculture, manufacturing and tourism – major industries growing our state and creating new job opportunities for the next generation.

As we invest in our infrastructure and speed up project delivery, we also are maintaining quality and delivering more value for taxpayers. Last year, we worked with the Department of Roads and the Nebraska Board of Public Roads Classifications and Standards to deliver major updates to the state's roads standards. These were commonsense changes that maintain quality and give state and local government needed flexibility to address their infrastructure priorities. For example, these updates are

allowing counties to replace existing bridge pilings with pilings of the same design, rather than investing in an expensive new bridge built under new construction design standards.

This year, I worked with the Legislature to merge our Department of Roads and Department of Aeronautics to create a new streamlined Department of Transportation (DOT). Nebraska was the last state in the nation without a DOT. This merger will create efficiencies allowing us to put more money into runways and roads and help us take a more strategic view of our state's overall infrastructure needs for the long term. The DOT will be responsible for implementing some of the other infrastructure related initiatives we have seen over the past couple years, including the TIA and the County Bridge Match Program.

These are just a few of the many infrastructure initiatives our team has produced. As our state continues to grow, so too will our need for safe, well-managed roads, bridges and runways. In the coming years, I will continue to work with the DOT, the Nebraska Legislature and communities across our state to ensure that we maintain the quality infrastructure that Nebraska families and businesses depend on to grow our state.

If you have any feedback or suggestions on our infrastructure initiatives or any other matter, I hope you'll contact my office by emailing pete.ricketts@nebraska.gov or calling 402-471-2244. We look forward to hearing from you! ■



EEOC sues employer on a return to work policy

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

Do you have a practice or policy of placing employees with impairments or disabilities on involuntary leave unless and until you receive from their medical provider clearance to return to work with no restrictions? On July 6, 2017, the U.S. Equal Employment Opportunity Commission (EEOC) sued an employer in federal court in New York claiming such a policy violated the Americans with Disabilities Act (ADA).

EEOC'S CLAIMS

The employer maintained a policy of requiring employees with "potential disabilities" to take leave until a physician provided a full release with no restrictions. The EEOC claimed an employee who had Achilles tendonitis and bone spurs and another employee who had a broken foot, which substantially limited their major life activities of standing and walking, requested that they be permitted to wear a can walker boot while working. The EEOC alleges that the employer invoked its no restrictions policy and denied the employees' request. The EEOC claimed another employee who experienced pregnancy complications that substantially limited her major life activities of standing, walking

The municipality should review its policies and form letters to make sure that they do not require an employee can only return to work "without restrictions" or with a "full medical release."

and lifting was required to remain on leave by her employer after it learned of her pregnancy complications, even though the EEOC claims she was able to perform her job duties with or without reasonable accommodation. The EEOC is claiming another employee required a cane to assist her with walking while in the workplace following surgery related to her disability. The employee did not request this accommodation because, from prior experience, she knew that such a request would be futile because of the employer's no restrictions policy. This employee remained on leave instead of returning to work with that accommodation. The EEOC claims these practices violated the employees' federally protected rights.

The EEOC also alleges the company had a practice in connection with its no restriction policy of prohibiting employees from remaining on a medical or disability leave for more than 26

weeks and has discharged employees once they reach 26 weeks of leave and sometimes earlier than 26 weeks. The EEOC gave as examples the employee with Achilles tendonitis and bone spurs and the employee who had pregnancy complications being terminated after being on leave "involuntarily" for 26 weeks.

GUIDANCE

The EEOC in its May 9, 2016, Guidance on "100% Healed Policies" states "[a]n employer will violate the ADA if it requires an employee with a disability to have no medical restrictions – that is, be '100%' healed or recovered – if the employee can perform her job with or without reasonable accommodation unless the employer can show providing the needed accommodation would cause an undue hardship." The municipality should review its policies and form letters to make sure they

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New public protection classification rating in Grand Island effective July 1

In April, the City of Grand Island Fire Department (GIFD) received notice of being awarded a top rating of Class 1 by the Insurance Services Office (ISO). The GIFD previously was rated as a Class 3.

This new Public Protection Classification (PPC) rating was effective July 1. As a result of the improved ISO rating, property owners in Grand Island were encouraged to check with their insurance companies to see how the new rating may affect their insurance rates.

Communities in the United States are rated by the ISO to determine a PPC for individual cities. ISO evaluates a

community's water supply, emergency communications and fire department to determine how effective the community is at providing structural fire suppression delivery. This rating is published by the ISO and used by insurance companies to determine insurance rates. The ISO develops a PPC number on a scale from 1 to 10, with one being the very best and 10 representing less than minimum recognized fire protection. In general, the price of fire insurance in a community with a good PPC is substantially lower than in a community with a poor PPC.

The Class 1 rating has been achieved by less than 1 percent of fire depart-

ments nationwide. Before the Grand Island Fire Department, there were no Class 1 fire departments in Nebraska. The ISO currently evaluates 46,042 fire departments in the United States with only 241 fire departments earning a Class 1 rating.

The GIFD is made up of 70 dedicated men and women and are an all-hazards department that responds to a variety of emergencies such as fires, medical calls, hazardous materials, confined space, vehicle collisions, technical rescue and aircraft incidents. The department responded to about 5,000 emergency calls in 2016. ■

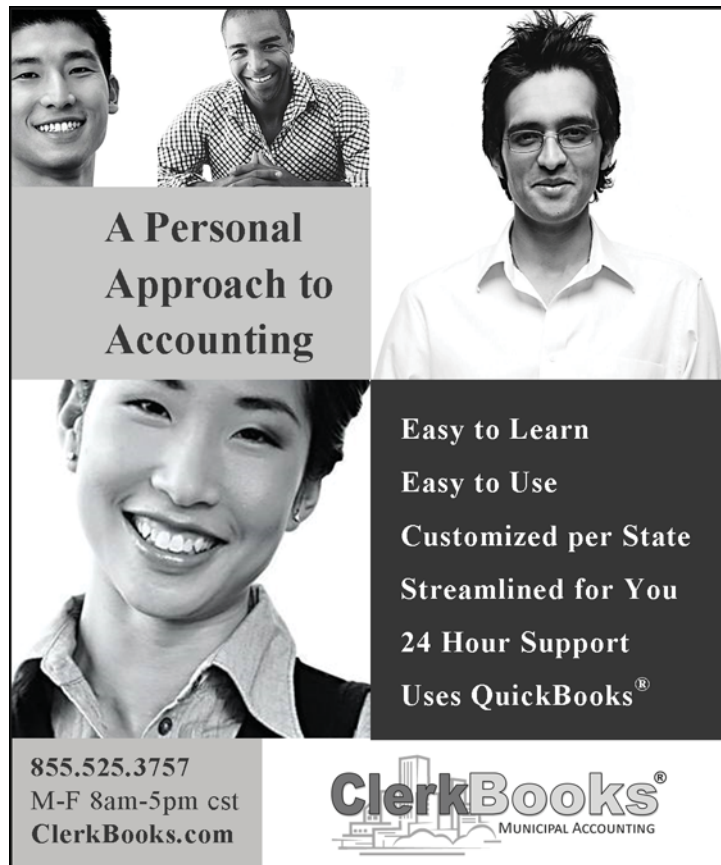
Source – City of Grand Island

EEOC sues employer on a return to work policy

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do not require an employee can only return to work "without restrictions" or with a "full medical release." If the employee returns from a leave of absence with restrictions from his or her doctor, the municipality may ask why the restrictions are required and how long they may be needed and it may explore with the employee and his doctor possible accommodations that will enable the employee to perform the essential job functions consistent with the doctor's recommended limitations. ■

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 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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MUNICIPAL ACCOUNTING

Bills enacted during 2017 session of interest to municipalities

■ **BY CHRISTY ABRAHAM**
LEGAL COUNSEL, LNM ■

The Nebraska Legislature adjourned sine die May 23, 2017. The 2018 session is scheduled to begin Jan. 3, 2018.

During the 2017 session, 667 bills were introduced. An additional 27 “A” bills (appropriations bills) were introduced. There also were five constitutional amendments introduced. One hundred seventy-three bills were enacted into law in 2017. The Governor vetoed one bill and the veto was not overridden by the Legislature. The Governor also issued line-item vetoes on several appropriations from the budget bills, which also were not overridden by the Legislature.

This article lists some of the bills enacted by the Legislature that may be of interest to municipal officials.

Executive board directives

Hundreds of bills were introduced in the 2017 legislative session that the League of Nebraska Municipalities supported, opposed or monitored according to prior directives or policies of the League Executive Board. The bills that the League Executive Board directed to be introduced on behalf of the League and the bills that the Board voted to support are marked with a [League]. The Executive Board met before the 2017 legislative session to review recommendations of the League Larger and Smaller Cities Legislative Committees and met during the legislative session.

Legislation enacted in 2017 becomes effective three calendar months after the end of the legislative session, unless the bill has an emergency clause or a different operative date. Unless



George W. Norris Legislative Chamber during 2017 session. Photo taken from back balcony. Staff photo.

otherwise noted, bills enacted in the 2017 legislative session take effect Aug. 24, 2017.

Copies of the bills can be found on the Legislature’s website at <http://nebraskalegislature.gov/>.

LB 72 (Introduced by Sen. Schumacher) Changes provisions relating to

cities and villages with defined benefit retirement plans filing for bankruptcy. The bill also authorizes municipalities without defined benefit plans to adopt an ordinance giving bondholders first priority liens on ad valorem taxes and purchases made with ad valorem taxes.

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Continued from page 8

LB 74 (Introduced by Sen. Crawford) Changes population thresholds relating to annexation, suburban development and planned unit development by a city or village. This is a “clean-up” bill that corrects a few minor inconsistencies and adds some cross references to increase clarity in the municipal statutes. **[League]**

LB 97 (Introduced by Sen. Crawford) Allows municipalities the ability to create, by ordinance, a Riverfront Development District. Such districts can be used by municipalities to fund, manage and promote strategic municipal economic development and tourism efforts on riverfronts across the state. **[League]**

LB 113 (Introduced by Sen. Hansen) Changes population threshold provisions relating to municipalities and eliminates obsolete provisions. The bill provides that population thresholds in state law will be determined by the “most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census.” **[League]**

LB 131 (Introduced by the Urban Affairs Committee) Changes the requirements for the territory of urban growth districts created by municipalities. Under the bill, the territory of an urban growth district must be an area outside the municipality’s corporate limits as such limits existed 20 years prior to the creation of the district. **[League]**

LB 133 (Introduced by the Urban Affairs Committee) Changes and eliminates provisions regarding cities of the second class and villages. This is the omnibus “clean-up” bill for cities of the second class and villages. LB 133 clarifies references to cities’ and villages’ extraterritorial zoning

jurisdiction, clarifies notices in legal newspapers, corrects gender references to include both masculine and feminine pronouns, corrects internal references and eliminates antiquated and obsolete language. The bill adds a specific reference to village engineers, which is lacking in current law.

LB 151 (Introduced by Sen. Stinner) Changes the duties of the Auditor of Public Accounts and certain audited entities. This bill includes the provisions of three bills: **LB 27** changes the dates of when the Auditor requests and a municipality must provide information and allows the Auditor to assess late fees. **LB 89** clarifies in the Nebraska Budget Act that public budget hearings will be posted at least four calendar days (not working days) before the date set for hearings. **LB 90** requires a public entity which is being audited to provide suitable accommodations for the Auditor.

LB 271 (Introduced by Sen. Hilgers)

Authorizes the Department of Roads to assume certain responsibilities under federal environmental laws and to take a larger role in the approval process of transportation projects funded through some federal sources. The bill also provides for a limited waiver of the state’s sovereign immunity.

LB 315 (Introduced by Sen. Murrante) Changes provisions relating to the sale of real property by a city of the second class or village to make it consistent with cities of the first class. With LB 315, cities of the second class and villages have the power to convey real property by resolution directing the sale of such property. This language mirrors the language for cities of the first class. **[League]**

LB 317 (Introduced by Sen. Hughes) Provides for a relevy or reassessment of a special assessment for cities of the second class or villages. LB 317 adds language to mirror the authority given

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Bills enacted during 2017 session of interest to municipalities

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to cities of the first class in this area.

[League]

LB 383 (Introduced by Sen. Quick) Changes membership provisions for certain municipal community redevelopment authorities, citizen advisory review committees and planning commissions. LB 383 allows a regular or alternate member of a planning commission for a city of the first class, city of the second class or village to hold other municipal office, except as a member of a community redevelopment authority under the Community Development Law or as a member of a citizen advisory review committee under the Local Option Municipal Economic Development Act. The Urban Affairs Committee added an amendment clarifying that an elected municipal officer may not serve on a planning commission. **[League]**

LB 444 (Introduced by Sen. Walz) Prohibits cities and counties from canceling health insurance coverage for injured first responders and, includes under the Nebraska Workers' Compensation Act, frontline state



Nebraska State Capitol hallway. Staff photo.

employees with respect to personal injuries.

LB 518 (Introduced by Sen. Williams) Adopts the Rural Workforce Housing Investment Act and transfers funds from the Affordable Housing Trust Fund. The bill creates grants to support the development of workforce housing necessary to recruit and retain employees in rural and underserved communities. Competitive grants are awarded to nonprofit development organizations in areas with demonstrated housing needs, low unemployment and the ability to complete projects within two years.

LB 578 (Introduced by Sen. McDonnell) Changes Medicaid reimbursement provisions relating to ground emergency medical transportation. Nebraska's current State Plan does not recognize first responder services as part of the higher reimbursement allowable under the regulations administered by the Centers for Medi-

care and Medicaid. A minor change to the language in the State Plan allows reimbursement at a higher rate. LB 578 requires that the Nebraska Department of Health and Human Services submit an amendment to the State Plan to allow for increased reimbursement for ground emergency medical transports. **[League]**

LB 625 (Introduced by Sen. Larson) Changes the Property Assessed Clean Energy Act by allowing counties to participate in the program. The PACE legislation was initially enacted in 2016 and authorizes municipalities to create energy assessment districts and provide property-assessed loans to residential and commercial property owners for energy efficient updates to the property. LB 625 allows counties to create PACE districts, but provides such county district will not include a municipality or its extraterritorial zoning jurisdiction that is contained within that district. ■

Interim committee hearings to begin in late summer, early fall

Interim Committee Hearings will begin in late summer and early fall. You may find the schedule for hearings listed at <http://nebraskalegislature.gov/session/interim.php>. ■

Contractor issues: Performance bonds

■ **BY CHRISTINE NEIGHBORS**
DEPUTY DIRECTOR AND
GENERAL COUNSEL, NEBRASKA
DEPT. OF INSURANCE ■

The Nebraska Department of Insurance received a few questions recently regarding performance/surety bonds related to municipality bidding proposals. As you know, when a municipality issues a request for bid, there is typically a provision in the request for proposal requiring the winning contractor to provide a performance or surety bond to cover his or her work on the project. This performance bond protects the municipality from the contractor's

failure to perform in accordance with the terms of the contract. In addition, a municipality may require a payment bond to provide security to the sub-contractors and materials suppliers to ensure payment for their work, labor and/or materials on the project.

An insurer licensed in the State of Nebraska by the Department of Insurance to write performance/surety bonds is admitted to do business in the state and is directly subject to the Department of Insurance regulatory authority and oversight. The department reviews this insurer's rate and form filings for compliance with Nebraska law and licenses the agents appointed with that insurer to sell the bond.

Another type of insurer is "surplus lines." For surplus lines sales, the agent is licensed by the Department of Insurance and is responsible for recording the sales, paying the surplus lines tax and assessing the solvency of a surplus lines insurer. See Surplus Lines Insurance Act at Neb. Rev. Stat. §44-5501 et seq. The insurer does not hold a license from the Department of Insurance. Surplus lines is available when the applicant for insurance cannot buy the insurance from an admitted insurer. See the Department's brochure explaining surplus lines insurance at <https://doi.nebraska.gov/sites/doi.nebraska.gov/files/doc/out00118.pdf>.

In evaluating the contractor's ability to provide the required bond, municipalities should ask questions about the insurer providing the bond and review the bond language to ensure it meets the bonding requirements of the proposal before entering into any contract. A listing of insurers licensed by the Department of Insurance is available at the Department's website



*Christine Neighbors
Deputy Director and General Counsel,
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New sports courts at Albion Sports Complex are completed

The City of Albion staff members and citizens are excited about a recreation project that opened in June, which includes

a tennis court, a pickleball court and two new half-court basketball courts at the Albion Sports Complex.

The project, which uses a post-tension concrete construction process to add stability to the playing surface, was originally pledged to Albion citizens in 2013 when the new Albion Family Aquatic Center displaced the courts on the south side of Fuller Park.

At the time, it was recognized that the tennis courts at the Sports Complex were in disrepair and needed attention if the community wanted to retain a viable court surface.

Results of community surveys demonstrated a significant desire for improved outdoor basketball facilities. Thus, the current design includes a combination of the two sports within the new fence, with an addition of pickleball – a sport similar to tennis and pingpong – that also is growing in popularity.

Renovation and repair estimates were originally sought in 2014 and were eliminated as viable long-term solutions because of the inferior subsurface

soils. As a result, the post-tension concrete construction was proposed as a long-term solution for the courts. The process adds stability to the concrete slab and eliminates the need for expansion joints, which often interfere with play on traditional concrete slab courts.

The cement block wall was demolished and was not replaced because of safety concerns. However, the plaques honoring Father Henry Schorn and Otto Reich have been retained and will be rededicated at a later time. ■

Source – Andrew L. Devine, City Administrator/Clerk/Treasurer, Albion Happenings.

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MEMO

TO: Members of the League of Nebraska Municipalities
FROM: L. Lynn Rex, Executive Director
DATE: August 2017
RE: Annual Business Meeting

The Annual Business Meeting of the League of Nebraska Municipalities will be held Sept. 22 at 10:30 a.m. at the Cornhusker Marriott Hotel in Lincoln. The meeting is held in conjunction with the League Annual Conference. Agendas for the meeting will be available at the League conference registration desk located at the hotel.

Columbus receives \$750,000 grant for Library/Cultural Arts Center project

The Nebraska Department of Economic Development in June granted the City of Columbus \$750,000 from its Civic and Community Center Financing Fund to aid in building the Library/Cultural Arts Center project.

Columbus City Council Members March 2017 elected to submit an application to the Nebraska Department of Economic Development on behalf of the Library/Cultural Arts Center. The state of Nebraska's support for Columbus leaders' effort to provide the community with a long-lasting, quality community facility was appreciated, according to the city website. The grant reaffirms the importance of the project's development and the efforts of many elected officials, library board members, donors and volunteers who have worked toward making the Library/Cultural Arts Center a reality. The competitive grant evaluation process focuses on the project's planning and development, the benefit the project provides for current and prospective residents, public support for the project, financial support for the project and the project's potential for driving economic development. The City of Columbus and Columbus Public Library continue to work toward the goal of funding half the construction of the Library/Cultural Arts Center project with non-city funds. This grant from the Civic and Community Center Financing Fund is another positive step toward achieving that goal. The grant funds provide a significant contribution to the *Building the Next Chapter* fundraising effort led by the Columbus Library Foundation. Columbus leaders are working hard to ensure that the Library/Cultural Arts Center project meets

the needs of the Columbus community. A survey process began July 5 to gather public opinion on the project and its public funding. The survey

will be followed by public meetings and focus groups that will help refine the project. ■

Source – City of Columbus

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New water source for Terrytown

■ **BY DIANE BECKER**
COMMUNICATIONS DIRECTOR
LARM ■

Terrytown, Nebraska officials will be getting their water from a new source – the City of Gering – later this summer.

According to Terrytown City Engineer Jeff Wolfe, there will be an additional 1,010 feet of 10-inch water main and 3,300 feet of eight-inch water main extending from the City of Terrytown to Gering for water delivery.

Public meetings were held this spring letting citizens know about the four-phase water project that also includes replacing and improving other water mains in Terrytown; installing 521 new water meters and a remote meter reading system; and, repainting and updating the Terrytown water tower. City officials conducted a water study in 2014 with the North Platte Natural Resources District board approving the agreement between Gering and Terrytown in late 2015.

“Increased regulations have made it more advantageous for us to get our water from a larger municipality. Work is beginning now on the first of the four phases of the project so we expect the project to be completed



From left is Terrytown City Engineer Jeff Wolfe and Terrytown City Administrator/Treasurer Lonnie Miller standing in the city offices, which are in the Carpenter Center in Terrytown. Photo by Diane Becker, Communications Director, LARM

sometime in 2018,” Wolfe said.

The water project is partially funded by the USDA Rural Development and a Nebraska Department of Economic Development Community Development Block Grant.

The City of Terrytown has been a member of the League Association of Risk Management (LARM) since 2015. It also is a member of the League of Nebraska Municipalities and the Utilities Section. ■

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 the news from your city or village

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. ■

**Check out the
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Lincoln Mayor calls on local hotels, motels to train on human trafficking

Lincoln Mayor Chris Beutler June 26 encouraged local hotel and motel managers to have their staffs participate in a training program to help them recognize signs of human trafficking. The “Realize, Recognize and Respond” program, offered by the Coalition on Human Trafficking, also trains those in the lodging industry how to respond safely to suspected cases and how to inform law enforcement.

“Statistics show that 70-80 percent of human trafficking occurs in hotels,” Mayor Beutler said. “Without the knowledge of how to identify a potential trafficking situation, victims will continue to be transported from hotel to hotel from city to city. And yes, trafficking occurs everywhere, including Lincoln. No hotel is too big or too small to have this horrible crime occur in its establishment.” Mayor Beutler will send a letter to local hotel and motel managers asking them to participate in the free, 30-45-minute training program.

The coalition is a group of concerned organizations, including religious groups, agencies working with women and children, law enforcement and the health care industry. “Most people don’t think of or don’t want to think of Lincoln as a hub for this type of seedy behavior, but it’s real and it’s a growing problem,” said Sister

Celeste Wobeter, a Notre Dame Sister in charge of the coalition’s hotel/motel training committee. “We have to open our eyes to what’s around us and start recognizing the signs.”

The United Nations defines human trafficking as the recruitment, transportation, transfer, harboring or receipt of persons by improper means (such as force, abduction, fraud or coercion) for an improper purpose, including forced labor or sexual exploitation.

Sister Wobeter attended the June 26 press conference with Lincoln Sen. Patty Pansing Brooks; Lincoln Police Chief Jeff Bliemeister; Lancaster County Sheriff Terry Wagner; Glen Parks from the Nebraska Human Trafficking Task Force in the Attorney General’s Office; Meghan Malik of the Women’s Fund of Omaha; and Lucas Arias of the Lincoln Lodging



Lincoln Mayor Chris Beutler

Association.

For more information about the training program, contact trainhotel@nottrafficking.org or call 888-373-7888. ■

Source – City of Lincoln

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2017 Municipal Accounting and Finance Conference Highlights

Municipal officials from across Nebraska attended the 2017 Municipal Accounting and Finance Conference June 14-16 at the Kearney Holiday Inn.

Delegates attended sessions on a wide range of topics, including sales tax reporting requirements, municipal bidding laws and disaster management and financial assistance to mitigate future risks.

The Municipal Accounting and Finance Conference Committee membership changed with outgoing MAFC Chairperson Barb Hodges, Lexington Treasurer, passing the gavel to MAFC Vice Chairperson Kelly Oelke, Clerk/Finance Director, Hickman. Hodges becomes past chairperson, while committee member Geralyn Konruff, Treasurer, Chappell, becomes vice chairperson. Other committee members include: Heather Lindsley, Treasurer, York; Elizabeth Hilyard, Director of Finance, Scottsbluff; and, Sarah Davis, Clerk/Treasurer, Palmer. ■



From left: MAFC Vice Chair Kelly Oelke, Clerk/Finance Director, Hickman, presents plaque of appreciation to MAFC Chairperson Barb Hodges, Lexington Treasurer.



MAFC Chairperson Barb Hodges, Treasurer, Lexington.



From left: Sherrie Bartell, Clerk/Treasurer, Sutton; Barbra Mikkelsen, Clerk/Treasurer, Aurora; Di Ana Leininger, Deputy Clerk, Aurora.



Top left: Deann Haeffner, CPA, Assistant Deputy Auditor, Nebraska Auditor of Public Accounts' Office.

Top right: Leslie S. Donley, Assistant Attorney General, Nebraska Dept. of Justice.

Middle: Stan Clouse, Mayor of Kearney.

Municipal Accounting and Finance Conference Committee.

From left: Barb Hodges, Lexington, outgoing chairperson; Heather Lindsley, York, committee member; Heather Lindsley, York, committee member; Geralyn Konruff, Chappell, incoming vice chairperson; Sarah Davis, Palmer, committee member; Kelly Oelke, Hickman, incoming chairperson.



2017 Municipal Accounting and Finance Conference Highlights



*Top left from left: Stephanie Wright, Clerk, Broken Bow; Nancee Coufal, Finance Director, Broken Bow.
Top right: Jeff Hofaker, City Administrator, Sutton.
Middle left: Steph James, Utility Clerk/Office Manager, Wisner.
Middle right: Sheila Schukei, Human Resources Director, Norfolk.
Bottom: Molly Bargmann, Recovery Section Supervisor, Nebraska Emergency Management Agency.*



*Top left: Chris Rector, City Administrator, Gibbon.
 Top right from left: Michaela Luckey, Assistant Clerk, Columbus; Janelle Kline, Clerk, Columbus.
 Middle left from left: Deb Daly, Clerk/Treasurer, Mullen; Patty Lamberty, Clerk/Treasurer, Arnold.
 Middle Right: Nancy Braden, Finance Director, Wayne.
 Anne Kinnison, Finance Director, Columbus.*

2017 Municipal Accounting and Finance Conference Highlights



Left: Chris Lindner, Audit Partner, BKD, LLP.

Right: Dawn Miller, Director of Finance, North Platte.

The League of Nebraska Municipalities thanks sponsors of the 2017 Municipal Accounting and Finance Conference

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Positions

Utility Employee. Village of Utica is accepting applications for a full-time Utility Employee. Individual assists in maintenance and upgrade of all departments, to include Pool, Parks, Auditorium, Street, Water, Sewer, and Solid Waste. Duties include but not limited to operating heavy equipment, snow removal, street maintenance, mowing and general upkeep of all city-owned properties. Certification in wastewater and water are desired but village is willing to train. Wage based on experience. Please contact Village of Utica, P.O. Box 158, Utica, NE 68456; 402-534-4237; uticavillage1@gmail.com for application, job description and list of benefits. Resume and references must be attached to application. Position open until filled. EOE.

Utility Worker. City of Franklin has opening for full-time utility worker. Experience in an electrical distribution system or electrical field preferred. Duties include skilled labor for new construction, operation and maintenance of electric, water and sewer systems. Perform skilled operation of equipment, maintenance of other municipal facilities and assisting in street and public property maintenance. Must be willing to obtain grade 4 water operator's license and have high school diploma or equivalent. Wage based on experience including excellent benefit package with insurance, vacation, holidays and retirement. Applications may be obtained at city office at 619 15th Ave, Franklin, NE 68939. Or by e-mail at: rfezien@cityoffranklin.net. Applications accepted until position filled. For more information, call (308) 425-6295.

Journeyman Lineworker. City of Broken Bow/Broken Bow Municipal Utilities is accepting applications for Journeyman Lineman. Applicants should have 2 years experience working as lineman on electric transmission and distribution systems. Journeyman Lineman certification is preferred. Duties include operation and maintenance of City of Broken Bow electrical distribution system. Starting pay based on experience and certifications. Applications and Job Descriptions available at Broken Bow Municipal Building at 345 South 10th Ave in utility office and should be returned to utility office with applicable resume. Applications taken until job is filled. City of Broken Bow is an EOE. For more information, call (308)872-6884.

General Manager Nebraska City Utilities. Nebraska City. Due to planned retirement of current General Manager, the Board of Public Works/Nebraska City Utilities (NCU) seeks energetic and experienced executive to provide strategic leadership to customers, community and employees. General Manager has direct responsibility for safe, reliable

Positions

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Village Superintendent. Village of Arnold, (pop. 597 – Custer County), seeks Village Superintendent. Individual to coordinate, oversee, manage and ASSIST in operations of all departments. Departments include General (General Government, Pool, Parks, Community Center), Street, Electric, Water, Sewer, and Solid Waste. Requirements include graduation from high school or equivalent, a valid Nebraska driver's license. Applicant must have or be able to obtain a CDL within 6 months of hire and have knowledge of electric distribution system. Certification in wastewater and water are desired but Village willing to train. Wage based on experience. Please contact Village of Arnold, PO Box 70, Arnold, NE 69120; 308-848-2228; arnoldvillage@gpcom.net for application, job description and list

Positions

of benefits. Resume and references must be attached to application. Position open until filled. EOE.

City Engineer. Norfolk (Pop. 24,000), located in Northeast Nebraska. Supervises, participates in and reviews engineering work involving design and construction observation of bridges, streets, storm water systems, sanitary sewer collection systems, wastewater treatment facilities, solid waste facilities and other public works related facilities; Reviews subdivision plans, and provides engineering support and capital planning for other city divisions. Four-year degree in Civil Engineering and Nebraska Professional Engineer license required or be able to obtain a Nebraska Professional Engineer License by Comity. 7-10 years of increasing responsible managerial and public works experience preferred. Salary commensurate with experience and education. Excellent fringe benefit package. Applications available at Human Resources Office, 309 North 5th Street, Norfolk, NE 68701 or online at www.ci.norfolk.ne.us. Please include college transcript. First review of applications begins Aug. 25, 2017. Open until filled. For more information, contact Andy Colvin, City Administrator, at (402) 844-2010. EOE

City Attorney. Norfolk (Pop. 24,000), located in Northeast Nebraska. Provides legal advice and services to the Mayor and City Council, City Administrator, City Staff, Boards, Commissions and Authorities in all matters related to operations, services, and activities of the municipality; drafts city ordinances, resolutions and other legislative documentation; reviews policies and procedures for compliance with legal requirements. Prosecutes municipal code violations including traffic, criminal, ordinance and comparable cases in Madison County and District courts. Must hold Bachelor's degree from accredited college or university and Juris Doctorate Degree from law school recognized by American Bar Association. Must be licensed to practice law by State Bar of Nebraska or have capacity to become licensed in Nebraska expeditiously and must be in good standing with their current state bar. Experience as a municipal law attorney including trial, administrative and supervisory responsibility or equivalent combination of education and experience. Salary commensurate with experience and education. Excellent fringe benefit package. Applications available at Human Resources Office, 309 North 5th Street, Norfolk, NE 68701 or online at www.ci.norfolk.ne.us. Please include college transcript. First review of applications beginning Aug. 31, 2017. Open until filled. For more information, contact Andy Colvin, City Administrator, at (402) 844-2010. EOE

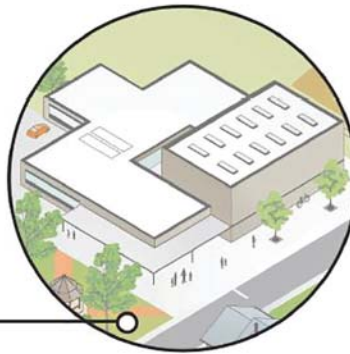
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Here's What Cities Stand to Lose in the Administration's Budget Proposal



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- \$11 million for the **Brownfields** Program



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What Budget Cuts
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- \$220 million for the **Weatherization Assistance Program**
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- \$1.393 billion for the **Superfund Program**



Community and Economic Development

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