

NEBRASKA MUNICIPAL REVIEW

■ Nebraska Supreme Court rules
landlords can be responsible
for tenant utility bills

■ South Sioux City unveils electric
motorcycle for police department

■ Gretna voters pass half-cent sales tax
to fund Gretna Crossing Park

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AUGUST 2020



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Virus-interrupted session adjourns sine die

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State Capitol at sunset. © iStock.com

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CALENDAR

Annual Conference.....October 2020 Series of Webinars
NLC City Summit.....Nov. 18-21, 2020, Virtual Event

Municipal Legal Calendar

(All statute citations to Revised Statutes of Nebraska)

OCTOBER 2020

CITIES OF THE FIRST CLASS

Within 10 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 of Council meeting.....	Clerk publishes official proceedings of meeting including claims. (19-1102)
First Day.....	Fiscal year begins. (16-701)
After start of fiscal year.....	Treasurer makes annual report to Mayor and Council. (16-720)
Oct. 9.....	A vote to exceed levy limits must be approved by this date (77-3444)
Oct. 13.....	Final Property Tax Request Certified and forwarded to County Clerk. (77-1601.02)
Oct. 31.....	I and 6 year plan certification forms filed with the Board of Public Roads Classifications and Standards (39-2115 to 39-2121)
Within 20 days after end of month.....	Treasurer files monthly financial report. (16-318)
Within 60 days after close of fiscal year.....	Treasurer publishes Statement of Receipts and Disbursements./Semi-annual financial statement published. (16-318) (16-722) (19-1101)
**.....	Clerk must prepare agenda prior to next Council meeting. (84-1411)
Within six months after close of fiscal year.....	Audit of city's accounts completed. (19-2903)

CITIES OF THE SECOND CLASS

Within 10 days following meeting or before next meeting (whichever is sooner).....	Clerk to have minutes available for public inspections. (84-1413)
Within 15 days of Passage.....	Clerk publishes ordinances passed. (17-613)
Within 30 days of Council meeting.....	Clerk publishes official proceedings of meeting including claims. (19-1102)
First Day.....	Fiscal year begins. (17-701)
Oct. 9.....	A vote to exceed levy limits must be approved by this date (77-3444)
Oct. 13.....	Final Property Tax Request Certified and forwarded to County Clerk. (77-1601.02)
Within 20 days after end of month.....	Treasurer files monthly financial report. (17-606)
Within 60 days after close of Fiscal Year.....	Treasurer publishes Statement of Receipts and Disbursements. (17-606) (19-1101)
**.....	Clerk must prepare agenda prior to next Council meeting. (84-1411)
Within six months after close of fiscal year.....	Audit of city's accounts completed. (19-2903)

VILLAGES

Within 10 days following meeting or before next meeting (whichever is sooner).....	Clerk to have minutes available for public inspections. (84-1413)
Within 15 days of Passage.....	Clerk publishes ordinances passed. (17-613)
Within 30 days of Board of Trustees' meeting.....	Clerk publishes official proceedings of meeting including claims. (19-1102)
First day.....	Fiscal year commences. (17-701)
Oct. 9.....	A vote to exceed levy limits by election or by townhall meeting must be approved by this date (77-3444)
Oct. 13.....	Final Property Tax Request Certified and forwarded to County Clerk. (77-1601.02)
Oct. 31.....	I and 6 year plan certification forms filed with the Board of Public Roads Classifications and Standards (39-2115 to 39-2121)
Within 20 days after end of month.....	Treasurer files monthly financial report. (17-606)
Within 60 days after close of Fiscal Year.....	Treasurer publishes Statement of Receipts and Disbursements. (17-606) (19-1101)
**.....	Clerk must prepare agenda prior to next Board meeting. (84-1411)
Within six months after close of fiscal year.....	Audit of Village's accounts completed unless audit requirement waived by State Auditor. (19-2903) (84-304)

ALL MUNICIPALITIES

On or before November 1.....	Each municipality which offers a defined benefit plan pursuant to section 401(a) of the Internal Revenue Code which was open to new members on January 1, 2004, shall submit written notification to the Nebraska Retirement Systems Committee of the Legislature that it offers such a plan. (13-2402)
October 15.....	Each municipality that offers such a defined benefit retirement plan shall file with the committee a copy of the most recent annual actuarial valuation of the retirement plan. The valuation report shall be filed electronically. (13-2402)
October 15.....	Each municipality that offers such a defined benefit retirement plan shall file a report with the committee if either of the following conditions exists as of the latest annual actuarial valuation of the retirement plan: (i) The contributions do not equal the actuarial requirement for funding; or (ii) the funded ratio is less than eighty percent. (13-2402)
October 15.....	Each municipality which offers such a defined benefit plan shall conduct an experience study at least once every four years to review the actuarial assumptions used to determine funding needs for its defined benefit plan. Each such political subdivision shall electronically file a copy of the most recent actuarial experience study with the committee by October 15, 2016, and shall electronically file a copy of each study completed pursuant to this subsection by the next October 15 after completion of the study (13-2402)

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

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Register now for the League's 2020 Virtual Annual Conference featuring excellent topics and speakers throughout the Webinar Series!

BY L. LYNN REX, EXECUTIVE DIRECTOR, LNM

To limit potential exposure to COVID-19, it is not advisable to conduct the Annual Conference and Business Meeting in our traditional format and venue. THANKS to the many city councils and village boards which recently approved amendments to the Articles of Incorporation and Bylaws enabling the League to conduct a **Virtual Annual Conference Webinar Series** from Oct. 7 to Oct. 21. The **Virtual Annual Business Meeting** to elect Directors and Officers to the League Executive Board will be held Oct. 22. The League Executive Board and staff truly will miss networking in person with municipal officials from across the state. Notwithstanding, the **League's Virtual Annual Conference Webinar Series** will feature interactive sessions and important information that municipal officials need to know, including presentations regarding new state laws and options for strategically revitalizing your city or village. As noted on the conference program, the League Association of Risk Management (LARM) is sponsoring nationally recognized speakers on issues of vital significance to cities and villages. In addition to a **League Legislative Update** on Oct. 21, webinars will be offered on a wide variety of topics including, but not limited to, those highlighted below.

LB 424: Nebraska Municipal Land Bank Act

On Oct. 7, the **Preconference Webinar** will review the key provisions of **LB 424** governing regional municipal land banks. In addition, conference delegates will be updated on the progress of municipalities in the state already moving forward to establish a regional land bank.

Thanks to **Sen. Dan Quick** of Grand Island, primary introducer of LB 424, and **Sen. John Stinner** of Gering, who selected LB 424 as his "personal priority bill" in the 2019 and 2020 legislative sessions. Sens. Stinner and Quick dedicated countless hours for several years working with the League staff and other stakeholders to negotiate amendments addressing concerns and advocating for passage of LB 424. The Legislature passed LB 424 on Aug. 11; thanks to **Gov.**

Pete Ricketts for signing this landmark legislation on Aug. 18. LB 424 will take effect Nov. 14, 2020. Thanks to the many municipal officials across the state who contacted Gov. Ricketts asking him to sign LB 424 to allow the creation of municipal land banks statewide to return vacant, abandoned, nuisance and tax-delinquent properties to the tax rolls, revitalize neighborhoods and transform these distressed properties into affordable/workforce housing.

The Preconference Webinar will discuss the League's templates of an interlocal agreement, handbook and procedures for implementing the bill. Thanks to the following speakers who will participate in this session along with **Christy Abraham**, Legal Counsel, LNM: **Tony Kaufman**, Mayor, Gering; **Alec Baillie**, Mayor, Loup City; **Michelle Coolidge**, Project Manager, Twin Cities Development Association; and **Marty Barnhart**, Former Executive Director, Omaha Municipal Land Bank.

LB 781: Annual continuing education requirement for all municipal and county treasurers

Although **LB 781** passed with the emergency clause and now is in effect, the Nebraska Auditor of Public Accounts' Office informed the League that it will not be implementing the bill until there are more discussions on how to do so with the League and NACO. Thanks to **Craig Kubicek**, Assistant Deputy of the Nebraska Auditor of Public Accounts' Office, for taking time to present a League Webinar on Oct. 15 entitled, "**Understanding Municipal Finance and Fiduciary Duties.**" It is important for municipal treasurers and employees who are involved in your city/village finances to listen to this timely League Webinar.

BACKGROUND: **Sen. John Stinner** introduced LB 781 to require annual continuing education for all municipal and county treasurers. The bill provides that the city or village treasurer (and county treasurer) "*shall annually complete con-*

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tinuing education through a program approved by the Auditor of Public Accounts, and proof of completion of such program shall be submitted to the Auditor of Public Accounts.” LB 781 passed on Final Reading with the emergency clause on Aug. 11, 2020; the bill took effect upon the Governor’s signature on Aug. 15, 2020, requiring that the Auditor of Public Accounts in consultation with the League and NACO will approve annual continuing education programs for municipal and county treasurers. The Auditor of Public Accounts is required to maintain records of program attendance and notify each county board, city council or village board of trustees if its treasurer has not completed the training. LB 781 also requires the Auditor of Public Accounts to inform the Attorney General and county attorney of the county in which the treasurer is located whether the treasurer has completed the required annual training.

Rural Broadband Issues Update

As underscored by Valentine **Mayor Kyle Arganbright** in a recent op ed in the *Omaha World-Herald* on Aug. 30, 2020, **“Broadband policy needs a complete overhaul with rural community input.”** On Oct. 13, Mayor Arganbright will join other experts during a League Webinar to discuss the need to remove barriers to investment in broadband infrastructure by rural cities and villages and rural electric cooperatives. Rural broadband is a necessity, not a luxury. Mayor Arganbright suggests that broadband should be treated like water – it is essential to rural communities to empower municipalities to shape their own destiny, provide effective public safety and strategically address economic/community development.

LB 1107 (incorporated provisions of LB 720): “Imagine Nebraska Act”

Another high priority for the League in the 2020 session was passage of the **“Imagine Nebraska Act,”** a new tax incentive program to replace the “Nebraska Advantage Act” which sunsets Dec. 31, 2020. **Jennifer Creager**, Senior Director of Public Policy for the Omaha Chamber of Commerce, will present a League Webinar on Oct. 13 outlining relevant sections of the “Imagine Nebraska Act.” Seward **Sen. Mark Kolterman**, primary introducer of **LB 720** (incorporated into LB 1107), and Jennifer led a coalition of statewide organizations, including the League, which successfully advocated for enactment of the “Imagine Nebraska Act.” Thanks to Sen. Kolterman for his remarkable dedication and extraordinary efforts negotiating and collaborating with the League and other stakeholders during the 2019 and 2020 legislative sessions. The Legislature passed LB 1107 on Aug. 13 and the Governor signed the bill on Aug. 17, 2020.

Thanks to **La Vista Mayor Doug Kindig**, Jennifer Creager and other stakeholders who worked with the League to negotiate provisions requiring that the Nebraska Department of Revenue provide projected and updated local option sales tax information to municipalities. Unlike LB 775 and the “Nebraska Advantage Act,” municipal officials now will know the name of the “qualifying business” which files an application to receive incentives, the maximum amount the business is eligible to receive in sales and use tax with refunds for the previous year and an estimate in sales and use taxes the business intends to claim. Amounts held by a municipality to make sales and use tax refunds pursuant to the “Employment and Investment Growth Act” (LB 775), the “Nebraska Advantage Act,” and the “Imagine Nebraska Act” will not count toward the statutory lid on “restricted funds” or cash reserve budget limitations.

BACKGROUND: LB 1107 passed on Final Reading with 155 pages incorporating what now is referred to as the **“GRAND COMPROMISE”** on the following three major issues: 1) the **“Imagine Nebraska Act”** (LB 720) to replace the “Nebraska Advantage Act,” the current tax incentive program which expires on Dec. 31, 2020; 2) the **“Nebraska Property Tax Incentive Act,”** including a “new” property tax credit program of \$125 million in FY 20/21 (with increasing funds in future years), in addition to the existing \$275 million currently in the “Property Tax Relief Credit Fund”; and 3) the **“Nebraska Transformational Projects Act”** (LB 1084), a \$300 million pledge of state funds for **UNMC’s “NEXt Project,”** contingent upon private donors contributing another \$300 million and the federal government committing \$1 billion for a national center to address pandemics and disasters, natural and man-made.

Speaker Jim Scheer of Norfolk facilitated the negotiations which resulted in the **“GRAND COMPROMISE”** with the following six key Senators: Omaha **Sen. Lou Ann Linehan**, Chair of the Revenue Committee; Gering **Sen. John Stinner**, Chair of the Appropriations Committee; Ralston **Sen. Steve Lathrop**, Chair of the Judiciary Committee; Seward **Sen. Mark Kolterman**, Chair of the Retirement Committee; Albion **Sen. Tom Briesse**, Chair of the General Affairs Committee; and Omaha **Sen. Mike McDonnell**, a member of the Appropriations Committee, who worked hard on the UNMC “NEXt Project.” Speaker Scheer, plus these six Senators have been referenced by the media and others as the “Super Seven.”

The League Executive Board and staff are excited for city and village officials to participate in this Virtual Annual Conference Webinar Series! ■



Getting back to work

BY GOV. PETE RICKETTS

Since the early days of our state when pioneering women and men plowed the prairies and cut grain by hand, Nebraska has been known for its industriousness. Our love of growing things and making things has helped our state power through even the most difficult times. Just last year, we experienced historic flooding and now a pandemic.

As coronavirus restrictions have eased, Nebraskans are getting back to work. Recent data has shown that, so far, Nebraska's economy has been one of the least impacted in the nation by the coronavirus. We also have one of the lowest unemployment rates. Even so, we have experienced historic joblessness and unemployment rates. To help Nebraskans find a new job or career opportunity, we have deployed three programs. The state's reemployment program, SNAP Next Step and Workforce Retraining Initiative (WRI) are all helping Nebraskans find a new opportunity.

Reemployment program

A few years ago, Nebraska became the first state in the nation to launch a reemployment program. Led by the Nebraska Department of Labor (NDOL), this free program connects Nebraskans searching for a new opportunity with job coaches, tools to create an online searchable resume and other

valuable resources. People receiving unemployment benefits participate in these services to help them get back to work more quickly. Since mid-March, teammates at NDOL have assisted with more than 75,000 requests for employment services. You don't have to receive unemployment benefits to access these great resources. NDOL's job centers are open to anyone. They stand ready to connect Nebraskans to tens of thousands of employment openings. For more information about services available through the job centers, visit dol.nebraska.gov and NEworks.nebraska.gov.

Partnership created

One great way our reemployment program at NDOL has been making a difference in people's lives is through a partnership with the Nebraska Department of Health and Human Services. For the past few years, these agencies have teamed up to help families who rely on food stamps find new opportunities that give them greater financial independence and flexibility. This initiative, called SNAP Next Step, provides families with employment services such as creating a virtual resume, preparing for a job interview and helping participants enhance their skills. On average, participants who complete SNAP Next Step increase their income by about

\$1,200 a month or \$14,500 per year! For example, Jenni was out of work when she enrolled in the program. SNAP Next Step helped her find full-time employment at an engineering firm. Her new monthly income is \$2,284, eliminating her need for SNAP benefits.

Quality of life improved

In addition to improving their financial situation, SNAP Next Step participants are enhancing their quality of life. Many are now working more predictable hours, allowing them to spend more time together as a family. For example, a single parent was working the second shift, including weekends, before she started SNAP Next Step. Now, she has a job working 8 a.m. - 5 p.m. and can spend evenings with her children. In another instance, a single mother working as a waitress made just over \$900 a month with no health benefits. After taking part in SNAP Next Step, she now earns almost \$2,700 a month with full benefits, a pension and potential bonuses.

Right now, SNAP Next Step is active in the following cities and their surrounding areas: Columbus, Grand Island, Hastings, Kearney, Lexington, Norfolk, North Platte, Scottsbluff and Sidney. Given the success of the program, we're in the process of

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expanding it statewide. Nebraskans interested in SNAP Next Step can learn more by visiting dhhs.ne.gov/Pages/SNAP-Next-Step.aspx.

New initiative

Recently, the Nebraska Department of Economic Development, NDOL, and I announced a new initiative that invests federal coronavirus funding into helping Nebraskans find a new career path. Through the Workforce Retraining Initiative (WRI), Nebraskans whose employment or income has been affected by the pandemic can apply for a scholarship to gain new skills to grow their earnings. Six of Nebraska's community colleges are participating in the program. Each college has designed training courses to help scholarship recipients achieve industry-recognized certifications in career fields with a high demand for qualified workers.

In addition to skills training, the colleges also offer career coaching to help students match their skills and interests to job opportunities. Every participant in WRI will engage with at least one potential employer during the training process. This allows students to build relationships with

companies that are looking to hire.

Most WRI scholarships cover the full cost of the training program. Participants who were receiving unemployment benefits before being awarded a scholarship may continue to access the benefits, provided they are receiving training in a program approved by NDOL. Participating in approved training fulfills the work search requirement for people receiving unemployment benefits.

Programs begin this fall

All of the WRI programs begin this fall. Most end by December, though some may continue into the spring. Nebraskans can apply for dozens of programs in career pathways such as nursing, health care, business administration, welding technology, truck driving/CDL and criminal justice. A full list of training programs, along with information on how to apply, can be found at getnebraskagrowing.nebraska.gov/workforce-retraining-initiative-scholarships.

While the impact of coronavirus has been dramatic, Nebraskans are resilient and resourceful. With the help of these initiatives and the industriousness of our people, we will get back to work and get our state grow-

ing quickly. In the coming months, we will keep working to create more great opportunities for folks to build a better future for themselves and their families. ■

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League magazine available on website

The League of Nebraska Municipalities places the *Nebraska Municipal Review* on the League's website at <http://www.lonm.org/> under the "News" and then the "Publications" tabs.

As always, we encourage you to share news from your city or village

with fellow municipal officials 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. ■

Kyle Arganbright: Nebraskans in Valentine show community vision, collaboration

■ **BY KYLE ARGANBRIGHT**, COMMUNITY COLUMNIST, OMAHA WORLD-HERALD
JULY 16, 2020 ■

Reprinted by permission

I moved back to my hometown 10 years ago. When I left, I wanted to explore. What I found is that my exploration quickly turned into searching for a way to make a life in Valentine and looking for ideas Valentine could put to use. I learned that I wanted to live in a place where I could be happy and healthy, and Valentine was it. It had the Sand Hills, the Niobrara River, great people and opportunity. After a decade out of Valentine learning, working and traveling, it was time to return home.

I'd noticed during my time away that inspiring and successful communities had some common assets: natural attractions, good infrastructure, strong quality of life amenities and community banks. The lack of locally owned banks combined with the effects of the financial crisis left borrowers in the Sand Hills with more uncertainty than they deserved, so I moved back to help start a community bank. A bold venture, but incredibly fulfilling.

Viewed through new lens

Re-entering the community in which I was born and raised was fascinating. I viewed Valentine through a new lens, but many people still saw me the same as when I'd left – an 18-year-old who might have driven his car too fast. I dove in, working to reacquaint myself with the people who had shaped me while getting to know the people who had come while I was gone.

At first glance, not a lot had changed. Valentine was still a remote ranching community with a strong tourism pull and an important relationship with the Rosebud Indian Reservation – these three things drove the economy and still do today. However, those economies were evolving and creating new opportunity.

After being back, I started to notice a unique energy brewing. The Prairie Club was being built, a friend was restarting the Peppermill restaurant, several local businesses were hitting their stride in a big way and new people were popping up around town – young and old. Conversations about how to move Valentine forward were evolving and a team of folks willing to make it happen was naturally forming. Necessity very quickly pushed a few ideas to the forefront.



Kyle Arganbright, Mayor, Valentine. Photo reprinted by permission from the Omaha World-Herald.

We lost our public golf course, so we rallied the community and built a golf course, reclaiming the old city dump while using effluent water from the city's sanitary sewer and got Tom Lehman to design it.

Access to workforce training and postsecondary education was poor, so we partnered with Mid-Plains Community College to expand its presence in Valentine through a new facility and more staffing. That resulted in Valentine's Extended Campus catapulting from the lowest number of student credit hours to the highest number of credit hours among MPCC extended campuses.

Lowest electricity rates

Electricity rates were increasing, so we ended a decades-long vendor relationship in favor of a smaller upstart and now have an opportunity to create one of the lowest electricity rates in the state.

We couldn't get craft beer in town, so we started Bolo Beer Co. to seed a local food and food manufacturing movement. Five years later, it's building a regional following and has become one of the top-rated tourist attractions in the area.

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My wife (an Omaha transplant) noticed a shortage of youth activities for girls, so she started a dance studio and resurrected the high school cheer and dance team. The team just took home a runner-up trophy at a state competition this spring – their first year ever competing.

Rural Main Street design

Our Main Street, the second oldest concrete in the highway system, was in serious need of an update, so we worked with the Nebraska DOT to get the project on the books. During the process, we partnered with the Citizens Institute on Rural Design to rethink rural Main Street design and community engagement during infrastructure projects. The newest Main Street in Nebraska is slated to be built in 2021.

People were craving better trails, so we completed one in partnership with the Nebraska Game and Parks Commission that connected the Cowboy Trail with the schools, hospital, baseball fields and swimming pool. As a follow-on, we just launched “The Most Rural BCycle Program in the World” in partnership with Heartland BCycle.

Gaps in children and family services, including insufficient day care and preschool capacity, were becoming a barrier to growth, so we started the Valentine Children and Families Foundation in partnership with the Nebraska Children and Families Foundation. Valentine’s first public preschool will launch in one month.

The hospital needed modernized, so it undertook a major remodel and expansion to provide additional obstetrics and orthopedic services to better serve the shifting population. The project was completed just before the pandemic hit – serendipitous timing.

Calculated risks with community consensus

We’ve taken calculated risks, but we’ve done it all with community consensus, smart partnerships and by looking for opportunity, all without increasing city property taxes or sales tax rates. And, we’re just getting started.

We’re examining a repurposing of our 1950s-era gymnasium into a modern wellness and community facility. We’re working to make our Internet world class like it needs to be in a remote community. We’ve partnered with the Nebraska Extension and the University of Nebraska-Lincoln College of Architecture to rethink rural housing developments and rural housing design. We’re building an entrepreneurship ecosystem that will drive the next generation of businesses.

A small, rural Nebraska town can find in itself the resources for renewal and vibrancy, it just takes a team.

If I hadn’t already moved home, I’d be packing my bags to head there now. ■

Kyle Arganbright is co-founder and executive vice president of Sandhills State Bank, Mayor of Valentine, co-founder of Bolo Beer Co. and lover of all things Sand Hills.

Wayfinding signs going up around Lexington

New directional “wayfinding” signs are starting to appear in Lexington. The signs are being placed in high traffic routes to help motorists quickly find general public destinations. The signs are expected to be particularly helpful to visitors and newcomers.

With a unique curvy shape, colors and Lexington brand logos, the wayfinding signs quickly distinguish themselves from other signage, so motorists can instantly recognize the pattern and lock into the destination directions.

Each sign displays two or three (maximum) destinations, as recommended by the Manual on Uniform Traffic Control Devices.

City staff designed the signs with approval from the Nebraska Department of Transportation. Lexington Sign Pro manufactured the signs. Most of the cost for the signs was funded by a grant from the Lexington Convention and Tourism Committee.

Source – Lexington City Happenings, August, 2020.



Photo from Lexington City Happenings, August 2020.

Nebraska Supreme Court rules landlords can be responsible for tenant utility bills

■ **BY LASH CHAFFIN**
ATTORNEY, UTILITIES
SECTION DIRECTOR, LNM ■

The Nebraska Supreme Court recently ruled that a Village of Dorchester Ordinance requiring that landlords guarantee utility bills for their tenants was constitutional. In addition to the ruling on this ordinance, the Court made it clear that in certain situations residential tenants could be treated differently than residential owners. In *REO Enterprises v. Village of Dorchester*, the Court looked at the Village of Dorchester's deposit ordinance which provides:

Section 3-002: Consumer's Application; Service Deposit:

1. Every person or persons desiring utility services must make application therefor to the Village clerk, who shall require the applicant to make a service deposit and tap fees for water and sewer service in such amounts as set by resolution by the Village Board and placed on file at the Village office. . . . Utility services shall not be supplied to any house or private service pipe except upon the order of the utilities superintendent.
2. Before a tenant's utility application will be accepted, the landlord shall be required to sign an owner's consent form and agree to pay all unpaid utility charges for his or her property.

Village sued

REO originally sued the Village of Dorchester in the District Court, which held that the ordinance violated the equal protection clause of the constitution because it treated tenants

and owners of property differently when applying for utility services. Then, the Village of Dorchester appealed this decision to the Nebraska Supreme Court. In a detailed analysis, the Supreme Court ruled in favor of the Village of Dorchester.

The Supreme Court acknowledged that both the U.S. and State Constitutions, through their equal protection clauses, require that similarly situated persons be treated alike. However, the Supreme Court noted that the equal protection clause does not forbid classifications if the classification created by a governmental action does not jeopardize the exercise of a fundamental right or categorize because of an inherently suspect characteristic. Equal protection requires only that the classification rationally further a legitimate state interest.

'Rational basis test'

Since REO did not claim that residential tenants were a suspect class or that the ordinance affected a fundamental right, the Supreme Court chose to apply a "rational basis test." The rational basis test presumes validity of a government action and can be satisfied if: 1) there is a plausible policy reason for the classification, 2) the legislative facts on which the classification is based may rationally have been considered to be true by the governmental decision maker, and 3) that the relationship of the classification to its goal is not so attenuated as to render the distinction arbitrary or irrational.

So, the Court applied this three-part test to the Dorchester Ordinance.

With respect to a "plausible reason," Dorchester claimed it has a legitimate interest in maintaining a financially



*Lash Chaffin, Attorney
Utilities Section Director, LNM*

stable municipal utility by collecting from tenants who abscond without paying their bills when those bills are in excess of the tenant's security deposit. Dorchester also argued that requiring a landlord's guarantee "remind[s] each landlord owner of its obligations and liability to . . . Dorchester and will further the goal of collection by reducing the possibility that . . . Dorchester will be faced with the administrative expenses associated with repeatedly resorting to cumbersome and expensive foreclosure or collection proceedings."

Statutory authority

The Court then noted that a village has the statutory authority to make and enforce all necessary rules and regulations in the use of its system of waterworks or water supply and the use of the water from such system. Along with charges for the use of a village's sewer system, a village has the power to assess and collect from its inhabitants rates for the use

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Continued from page 10

and benefit of water used or supplied to them, which includes the authority to enforce liens upon the real estate where the water and sewer system are used or supplied. A village also has the authority to contract to furnish electricity to any person or corporation.

Legitimate interest

The Court analyzed that pursuant to its authority to provide and charge for utility services, Dorchester has a legitimate interest in ensuring collection of accounts for these services. By requiring a landlord to guarantee any unpaid utility charges not paid by the tenant, Dorchester increases the likelihood that it will be able to collect payment for services with minimal additional collection costs even if the tenants move away and collection efforts from the tenants are unsuccessful. Such guarantee involves a third party who is tied to real estate located within Dorchester and against whom collection may be more easily pursued. This consideration does not equally apply when determining whether to require a third-party guarantee from a residential landowner where the utility customer owns the land at issue and cannot as easily avoid his or her obligations without abandoning the property to its creditors. Based on this, the Court found that ensuring payment for utility services is a plausible policy reason for the classifications requiring landlords' guarantees for tenants but not for residential owners and thus satisfied the first part of the three-part test.

The Court then considered whether the "legislative facts on which the classification is based may rationally have been considered to be true."

Dorchester claimed that by requiring

a landlord guarantee for tenants and not requiring a third-party guarantee for residential owners, it was recognizing that tenants are less likely to be creditworthy than owners and that collection from tenants who moved away is more difficult than from owners who are tied to the property within the village. In support of these assertions, Dorchester provided an affidavit from Dorchester's village clerk and treasurer. The village clerk explained that "[i]n the past, [Dorchester] spent substantial resources in trying to locate former residential tenant utilities customers that . . . left town with unpaid utility account obligations" and "collections agencies would be used to collect these unpaid utilities accounts [and] charge 50% of the amount collected." She also described that there was an unpaid utility bill on REO's property in the previous tenant's name and that the location of the previous tenant was unknown.

Analyzing second part of test

In analyzing the second part of the test the Court noted that the burden is upon REO as a party challenging the ordinance to eliminate any reasonably conceivable state of facts that could provide a rational basis for the classification. Dorchester was not required to present evidence to support the classification under ordinance and instead, REO had the duty to disprove Dorchester's alleged factual basis or establish the facts were not reasonably conceivable.

The Court acknowledged that individual residential tenants and owners are not intrinsically with or without creditworthiness but that other courts have recognized an increased likelihood that an individual who rents a property may have less available

reachable assets and resources than an owner who may have applied for and acquired debt to buy the property or had enough resources to buy the property outright. Thus, since Dorchester relied on inherent increased likelihood of a tenant's lack of creditworthiness compared to a residential owners' creditworthiness is an appropriate consideration.

Administrative costs increase

The Court also noted Dorchester's assertion that administrative and collection costs associated with unpaid utility bills are more likely to increase when seeking payment for services provided to tenants versus residential owners. Tenants are connected to the property through a lease agreement, which means their connection with that property ceases when they are no longer acting under the agreement. Dorchester noted in the village clerk's affidavit that, in the past, this lack of continuing connection with the property can result in Dorchester's spending "substantial resources" in trying to locate the tenant to collect on unpaid services.

The Court went on to note that a study and a precise comparison is unnecessary to support Dorchester's conclusion. Residential owners own

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City of Wisner earns NMPP Energy's Project of Year Award

NMPP Energy recently awarded the City of Wisner with a Project of the Year Award for its City Auditorium Renovation Project.

The award is presented annually to honor a project or program in an NMPP Energy member community that creates a more cohesive community, whether it's a project created for the entire community or one that makes it easier for city staff and employees to serve their residents.

Usually given at conference

The award is typically presented at the NMPP Energy Annual Conference, but the event was canceled this year due to the COVID-19 pandemic.

The City of Wisner participates in three NMPP Energy organizations: the Nebraska Municipal Power Pool (utility-related services), the Municipal Energy Agency of Nebraska (wholesale electricity supply) and the National Public Gas Agency (wholesale natural gas).

The city completed the renovation of



Wisner's City Auditorium renovation project included modernizing the facility's ceiling. Photo provided by NMPP Energy.

its City Auditorium in the fall of 2019 and transformed the public meeting facility from an aging structure to a fully functional facility that will be used for many years.

The project was a public and private

collaboration which included \$1.2 million in donations. The project was the culmination of several years of meetings and discussions, bringing together stakeholders to renew a needed space within the community.

The renovation included updating the main social hall and kitchen as well as removing the ceiling to expose rafters overhead to highlight the peak of the building. More natural lighting was added as an expanse of windows replaced a concrete wall. Updates also were made to the heating and electrical system, allowing the facility to run more efficiently.

Last remodeled in 1996

The auditorium, built in 1956, was last remodeled in 1996. The recent remodeling project makes the facility competitive with the new community centers in the surrounding area. The award includes \$200, which will be donated to the auditorium project. ■

Source – Kevin Wickham, Communications Specialist, NMPP Energy.



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Nebraska Supreme Court rules landlords can be responsible for tenant utility bills

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the property until they sell, abandon or are removed. Dorchester, therefore, has a static source to contact and pursue collection from residential owners. It is rational to conclude that the costs associated with locating a residential landowner is likely to be less than locating a previous tenant.

Lastly, the Court analyzed the third part of the test. They reviewed whether the relationship of the tenant distinction to its goal is so attenuated as to render the distinction arbitrary or irrational.

Expended substantial resources

The Court again looked to the village clerk's affidavit claiming Dorchester had expended substantial resources in pursuing collection of unpaid utility accounts from tenants who have moved away, including costs associated with locating the tenants and collection agencies. Thus, the Court found that the ordinance's treatment of tenants and residential owners was sufficiently related to Dorchester's stated purpose so as not to render the distinction arbitrary or irrational.

REO also argued that the landlord guarantee requires a landlord to agree to cover unpaid bills for services the landlord will not receive. REO also claimed allowing Dorchester to require a landlord guarantee would have far-reaching negative implications and allow municipalities and power districts to require similar guarantees for rented farmland, industrial land and commercial land, which could greatly increase the potential liability of those landlords.

The Court noted that this argument ignores the fact that a landlord receives a benefit from the property's having

access to and use of utility services in that a property, which has access to utilities and in which this access is reliable and consistent, has an increased property value. The statutory scheme also assumes a property owner is a relevant party to the availability and use of utilities at a property in permitting the imposition of a lien against the owner's property when a tenant fails to pay. The Court stated that whether the Dorchester Ordinance may influence other municipalities and power districts to require landlord guarantees, which may have their own expanded implications, is immaterial to the question of whether Dorchester's landlord guarantee requirement furthers the legitimate interest of ensuring collection of accounts for the provision of utility services to Dorchester residents.

REO also argued that Dorchester "is already adequately protected by its ability to require the tenant to

make a deposit . . . to cover the last month's bill and to place a lien on the property for any amounts that remain unpaid for water and sewer services after application of the deposit." REO contends Dorchester can further limit its potential risk of nonpayment over the deposit amount by promptly shutting off utility services when a tenant fails to pay.

Rational basis test

The Court noted that while Dorchester may have had alternate avenues to address its goal of ensuring payment of utility bills through higher security deposits and collecting from liens imposed on properties, the rational basis test does not require a governmental entity to choose a specific course of action to ensure payment.

The Court then looked at a Florida case that evaluated a requirement that a landlord join in a tenant's ap-

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Gretna voters pass half-cent sales tax to fund Gretna Crossing Park

Gretna voters in May adopted a half-cent sales tax to finance the Gretna Crossing Park, which includes an aquatics and recreation facility. The park will offer trails, a dog park, a fishing pond and an 18-hole disc golf course.

Voters adopted the sales tax by 61 percent and, according to Gretna City Administrator Jeff Kooistra, the tax will generate about \$1.2 million annually. The city's portion of the project is \$44.4 million, he added.

Remaining money

The remaining money for the project, which is estimated to cost a total of \$53.6 million, will come from Gretna Public High School, which would use the indoor competition pool for its high school swim team. An outdoor aquatics facility also will be built, featuring a zero-depth entry pool, water slides and lazy river. The current municipal pool is deteriorating and outmoded.

"With the city and school district



Artist's rendition of trail in park. Image provided by City of Gretna.

working together," Kooistra said, "we were able to leverage a much larger and more complete project than either entity could have accomplished alone."

Other features

Besides aquatics activities, the 68,000-square-foot facility will feature

a gym, locker rooms, concessions and a community room for meetings and other events.

"The Gretna Crossing Park will become a center for activities for the Gretna area citizens and greatly add to the quality of life for our community," Kooistra said.

Goal of community

Gretna Mayor Jim Timmerman said the park was a goal of the community for several years.

"We were able to build the soccer fields on the south end of the complex," Mayor Timmerman said. "The park also will include eight ball fields, which is much needed for the community. Once completed, the park will enhance the quality of life for all." ■



Artist's rendition of aerial view of aquatic facilities. Image provided by City of Gretna.

**Turn to page 22 to see
professional directory**

South Sioux City unveils electric motorcycle for police department

At an unveiling of the first all-electric police motorcycle in South Sioux City, Mayor Rod Koch thanked city council members and the Nebraska Environmental Trust.

“Today is an exciting day for South Sioux City brought to you – in part – from the proceeds of lottery tickets,” he said to those gathered. “As we seek better ways to patrol our streets and enhance our environment, I am pleased to announce South Sioux City will have the first all-electric police motorcycle. It is quiet, reduces our carbon footprint and reduces the cost of patrolling our streets.”

According to press reports, South Sioux City Police Chief Ed Mahon said the city will be the only Nebraska city police department to have the Zero DSR motorcycle. He noted that the police department has had a Nissan LEAF police car since 2011.



From right: South Sioux City Police Chief Ed Mahon and South Sioux City Police Department Master Patrolman Dave Heinemann, who shows Zero DSR electric motorcycle. Photo courtesy of City of South Sioux City.

An added benefit, he said, is that an electric motorcycle will allow officers to patrol areas that a car cannot, es-

pecially in parks or on bike trails. ■

Source – City of South Sioux City and the South Sioux City Journal.

Nebraska Supreme Court rules landlords can be responsible for tenant utility bills

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plication for utilities and found the requirement was obviously related to the city’s legitimate purpose of maintaining a financially stable municipal utility. The Court explained that “a landowner, whose property is readily subject to liens and foreclosure may be rationally presumed to be more readily held to account as the ultimate guarantor of the bills has a tenant who may freely abandon the lease, leaving behind only his outstanding debts.”

The Court also discussed another case which involved whether a municipality could require a tenant to pay a previous, unpaid utility bill for the initiation and continuation of

service even though the tenant had not received the previous service and had no previous relationship with the property. In this case, a city had a policy where, after a tenant moved into a property that was already receiving water services, the city would terminate the services if the landlord owed for a prior tenant’s water usage. The city would inform the tenant that water services would only recommence once the landlord satisfied that debt. That Court found the policy violated equal protection because it treated tenants who moved into properties and whose owners were encumbered with preexisting utility debts differently from properties that

were not. The Court expressed no opinion regarding the policy’s differential treatment of landlords and tenants.

The Nebraska Supreme Court noted that requiring a tenant to pay previous, unpaid utility bills to initiate or continue service where the tenant was not a party to those services nor connected to the property is different from Dorchester’s requirement that a tenant obtain the landlord’s guarantee prior to the initiation of service.

Ultimately, the Court ruled in favor of the Village of Dorchester, but also ordered the District Court to review some other claims related to the Nebraska Landlord/Tenant statutes. ■

Virus-interrupted session adjourns sine die in August

Lawmakers Aug. 13 adjourned sine die, marking the end of the second session of the 106th Legislature, which was interrupted in March by a global pandemic that rages on with more than 31,000 cases currently reported in Nebraska alone.

Major legislation passed this session includes tax legislation that provides property tax reductions, an updated business tax incentive plan and a pledge for \$300 million in state funding to help create a proposed national

pandemic and disaster response center at the University of Nebraska Medical Center.

Other measures passed include **LB 424**, which allows the creation of municipal land banks (*see more information on pages 4-5*), and **LB 992**, a bill designed to encourage access to broadband internet in rural areas. A listing of bills that are of interest to municipal officials will be included in the next edition of the *Nebraska Municipal Review*.

Speaker Jim Scheer of Norfolk congratulated lawmakers on passing 285 bills this session. Sen. Scheer is among six Senators who are leaving the Legislature because of term limits. Besides Scheer, those serving their last term include: Lincoln **Sen. Kate Bolz**, Omaha **Sen. Ernie Chambers**, Bellevue **Sen. Sue Crawford**, Omaha **Sen. Sara Howard** and Omaha **Sen. Rick Kolowski**.

The 2021 session is scheduled to convene Jan. 6. ■

Directory of Municipal Officials

Position/Information Changes

City or Village	Position/Information	Delete	Add
Alvo	Clerk/Treasurer Board Chairperson Board Member Board Member Board Member Board Member	Christina Vidlak David Morgan Robin La Page Melanie Gist Melissa Hanes Ben Glantz vacant	Melissa Hanes Robin LaPage Chris Juilfs Jodi Hansen Taylor Glantz Mike Lanclot Dan Knoell Nikki Schwanz
Broken Bow	City Administrator	cityhall@dakotacity.net	admin@dakotacity.net
Cozad	City Administrator	8 am–Noon; 1–5 pm	8 am–4:30 pm M-F
Dakota City	Email Business Hours Maintenance Supervisor	Kurt Peterson	Justin Claassen
Fort Calhoun	Council Member	Terry Fitzgerald	Ritch Nelson
Gothenburg	City Administrator Clerk/Treasurer	Bruce Clymer Brandi Kloepping	Gary Greer Misty Bussinger
Lawrence	Board Chairperson Board Members	Kevin Pohmeier Marlene Falman Kyle Faiman	Kyle Faimon Joe Kathman Sara Griffis
Lincoln	Transportation & Utilities Director	Tom Casady, Interim	Elizabeth Elliott
Loup City	Clerk/Treasurer Email	Roberta E. Kowalski rkowalski@kdsi.net	Jami Mroczek JMroczek@loupacity.org
Mason City	Board Member	vacant	Michael Hoblyn-Shoemaker
Newcastle	Board Member	vacant	Stacy Lund
North Platte	City Administrator	James Hawks	Matthew F. Kibbon
Superior	Utility Superintendent	Larry Brittenham	Andrew Brittenham



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City of Alliance recertified as EDCC, earns accolades from state

The City of Alliance (pop. 8,100) achieved its recertification as an Economic Development Certified Community (EDCC) and was recognized during a formal ceremony in July, attended by Nebraska Department of Economic Development (DED) Business Development Field Staff.

“The City of Alliance appreciates partnering with the State of Nebraska and Box Butte Development Corporation to renew its EDCC status,” said Jeff Sprock, City Manager. “The renewal helps the City to be proactive in developing economic opportunities through marketing, strategic planning, housing initiatives and infrastructure development, which will strengthen existing businesses and attract new employers. Maintaining this status also is critical to accessing state and federal funding available for economic development, which is vital to local stability, the promotion of growth and maintaining a strong, cohesive community.”

Third recognition

This is the third time Alliance has been recognized as an EDCC since the program’s inception in 2005 – proving the community continues to demonstrate the commitment, collaboration, know-how, determination and sheer scrappiness required to not just maintain the status quo, but to grow and thrive.

“Communities the size of Alliance aren’t sheer people magnets like Lincoln or Omaha,” DED Director Anthony L. Goins said. “They earn each new family, every new business that comes to town by constantly telling their story, by showcasing the truly unique quality of life they have



From left to right: Box Butte Development Corporation Executive Director Chelsie Herian; City Manager Jeffery Sprock; Nebraska Department of Economic Development Business Development Consultant Brittany Hardin; City Finance Director Randy Waggener. Photo courtesy of the Nebraska Department of Economic Development.

to offer and by continuously working to improve and grow.

Nowhere does this sentiment ring truer than in Alliance, where local leaders – from city officials to the staff at Box Butte Development Corporation (BBDC) – embrace the word “proactive.” If EDCC certification is about showing that a community is prepared to promote and accommodate growth and new opportunities, then Alliance has it in spades and then some thanks to its passionate community leaders and engaged residents.

‘Retail Forum’

When Shopko announced it was permanently closing last year, for instance, economic developers made the most of a tough situation, spearheading a one-of-a-kind “Retail Forum” that brought local businesses together to weigh an expansion opportunity

awaiting anyone brave enough to grab hold. The space was soon bought by a local family hardware store, which has since capitalized on the new square-footage to grow its product and service lines.

Right ingredients

Such stories aren’t exceptions to the norm. They’re the way Alliance does business. Alliance also knows the importance of having the right ingredients for growth and it shows in what it has to offer for businesses that are new to town or looking to expand. The city’s Local Option Municipal Economic Development (LB840) program, for example, has distributed almost \$500,000 in forgivable and non-forgivable loans to local firms in the past five years alone – sparking growth in the local

Continued on page 19

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manufacturing, value-added agricultural and retail industries. Meanwhile, entrepreneurs and small businesses can access a \$5,000 small business grant, repayment-free for firms that stay in business for at least three years.

The city and BBDC also continue to focus on attraction and retention, using multimedia marketing, YouTube, social media blitzes and custom tourism campaigns to consistently bring in new visitors and residents. The highly successful “Business and Industry Days” program for middle and high school students is a results-getting recruitment strategy that’s giving local youth more reasons to stay home or return to Alliance as young professionals to launch a career or raise a family.

Efforts rewarded

Alliance has been rewarded for its concerted efforts by seeing a vision of growth come to fruition. There’s the multi-million-dollar renovation and expansion of Box Butte General Hospital, for example, with a new clinic planned for nearby Hemingford in 2020. Or the new Holiday Inn Express and three-bay strip mall that will take shape over the course of the same year. There’s the expansion of local employers like Jelinek Custom Cleaning, which invested \$5.5 million within the community last year. There’s the \$900,000 track renovation at the local high school, which has created added space for economy-boosting sporting events. Or the upcoming, mammoth effort to revitalize the town’s entry off Highway 385, with new sights and streetscapes that are sure to entice passers-by.

Nebraska Diplomats President Daniel Duncan said: “The City of Alliance, BBDC, the businesses community and the residents of Box Butte County

deserve special recognition for exemplifying the progress that can occur when we execute on a vision to better our communities and grow our state.”

To learn more about the Economic Development Certified Community

program, including how to apply, contact Ashley Rice-Gerlach at 308-655-0919 or ashley.gerlach@nebraska.gov. ■ *Continued from page 19*

Source – Nebraska Department of Economic Development

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Census takers began visiting non-responding households in Nebraska

Census takers in Nebraska are working to follow up with households that have not yet responded to the 2020 Census.

The current **total self-response rate in Nebraska, as of Aug. 10, is 69 percent**, with 54.70 percent of respondents using the Internet. The Census Bureau will need to visit the remaining addresses to collect responses in person.

Households can still respond now by completing and mailing back the paper questionnaire they received, by responding online at 2020census.gov, or by phone at 844-330-2020. Households also can respond online or by phone in one of 13 languages and find assistance in many more. Those who respond will not need to be visited to obtain their census response.

The Census Bureau and the Centers for Disease Control (CDC) are working together to protect the health and safety of the public and our employees. Participation in 2020 Census interviews should present a low risk of transmission of COVID-19.

Census takers are trained to rigorously and universally follow these CDC recommendations to mitigate the risk of transmission:

- Wearing face masks;
- Maintaining social distance of six feet or more;
- Practicing hand hygiene
- Not entering homes, and conducting interviews outside as much as possible or practical; and
- Household members encountered by census staff are encouraged to maintain social distances

during interviews and practice the CDC's other recommendations as much as possible.

Census takers are hired from local communities. All census takers speak English and many are bilingual. If a census taker does not speak the household's language, the household may request a return visit from a census taker who does.

If no one is home when the census taker visits, the census taker will leave a notice of his or her visit with information about how to respond online, by phone or by mail. People are encouraged to cooperate with census takers and ensure that everyone who was living in their household as of April 1, 2020, is counted. ■

Source – U.S. Census Bureau

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Positions

Finance Director. City of Sidney is excited to present a great opportunity for a dynamic and engaging leader to serve as Finance Director.

The Finance Director will serve as Chief Financial Officer of the City of Sidney, providing highly responsible and complex financial and administrative support to City Administration. Responsible for preparing, compiling and presenting the annual budget document for city. Monitors expenditures during year and makes recommendations to City Manager for budget modifications or additional funds. Ensures financial reporting and procedural compliance with all applicable Federal, State and Local regulations as well as generally accepted governmental and accounting principles. Coordinates annual audit and responsible for Comprehensive Annual Financial Report.

Bachelor's degree in accounting, finance or a closely related field required or equivalent combination of training and experience. Five years of progressively responsible municipal finance work preferred. Salary range: \$65,000 to \$72,000 negotiable depending on experience and qualifications. Full benefit package.

See www.cityofsidney.org for more info or contact Jo Houser, 308.254.7002 for application and position summary. Position will remain open until filled. First review of applications is Sept. 18, 2020. EOE

Village Utility Superintendent. Village of Pender is looking for someone who has a broad range of utility experience to become Village Utility Superintendent. Ideal candidate would have at least five years or more previous experience as a superintendent or supervisor relating to the construction, repair, maintenance and operation of the following utility departments:

- Electric generation, transmission and distribution system
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- Wastewater treatment plant and wastewater line maintenance
- Natural Gas distribution
- Street, Parks, Pool, Cemetery, Dump, and Building Permits

The candidate must be able to file mandatory reports, learn and understand the budget. In addition to at least five years of previous electrical experience, the candidate should either have or demonstrate the ability to obtain, in a timely manner, necessary licenses, certificates or qualifications to operate the Water, Wastewater and Natural Gas departments. Candidate will need to interact with public in a professional manner, should easily convey knowledge to others through good written and oral

Positions

communication, have a high degree of computer and organizational skills and be self-motivated to plan, organize and direct work objectives. Utility Superintendent is responsible for leading a crew of 8 utility employees.

Competitive salary dependent upon qualifications and experience. Full benefits package. Successful candidate must pass a pre-employment drug test. Position open until filled. Applications are available at the Village Office at 618 Main Street, Pender NE 68047. For further information contact William Newton at 402-385-3698 or the Village Office at 402-385-3232 or penderoffice@abbnbraska.com. EOE.

City Administrator. City of Alma is accepting applications for position of City Administrator. Under supervision of Mayor and direction of Mayor and City Council, the Administrator is appointed for an indefinite period, solely on the basis of administrative qualifications. City Administrator is responsible for daily operation and proper administration of all city affairs and shall have general supervisory authority over all city departments.

Candidates must possess excellent written, verbal, organizational and interpersonal skills; have knowledge of and ability to apply city, state and federal laws, policies and regulations; have knowledge of and ability to apply principles, practices and policies of municipal government; have knowledge of city responsibilities and ability to use independent judgment in performance of duties; possess exceptional oral and written communication skills and ability to effectively communicate on a daily basis with elected and appointed officials, city employees and the public; analyze needs of community for all types of community and economic development projects; and be responsible for preparing grant applications and administering grants when appropriate. A comprehensive listing of duties and qualifications may be found on our website: www.almacity.com

Minimum training and experience include graduation from an accredited college or university with a Bachelor's Degree in public administration, business administration or a related field, or an equivalent combination of education, training, and experience; desired experience includes five years of administrative, management and supervisory experience in municipal or county government, or an equivalent combination of education, training and experience; must possess and maintain a valid driver's license; and must be bondable.

Benefits include vacation time, sick time, holiday pay, retirement, and health insurance. Salary will be negotiated based on qualifications and experience.

Positions

All training and experience requirements may be waived or modified for an exceptional applicant.

City of Alma is an EOE. Applications will be accepted until the position is filled. Send resume, a completed application, and references to City Clerk, City of Alma, P O Box 468, Alma NE 68920 or submit electronically at cityclk@almacity.com.

Electrical Lineman/Foreman. City of Burwell, NE is accepting applications for a full-time Electrical Lineman/Foreman. Applicants must be a U.S. citizen and possess a valid driver's license with the ability to attain CDL within six months of hire. The following links, City Electric Lineman Description and Employment Application, are viewable/printable as needed.

Applications are also available at Burwell City Hall, 404 Grand Ave., Burwell, NE 68823 or by emailing cityofburwell@nctc.net. Completed applications, along with a cover letter and resume, should be mailed or delivered to the city office address above and will be accepted until position is filled.

Salary package negotiable DOE, with excellent fringe benefits, including vacation, sick time, retirement, family medical and holidays.

City of Burwell does not discriminate on basis of race, color, national origin, sex, religion, age, or disability in employment or provision of services. EOE.

Utilities Superintendent. Village of Greeley is accepting applications for a Utility Superintendent. Job responsibilities include but are not limited to, maintenance, repair, and upgrades of all water and wastewater systems, heavy equipment operation, streets and recreation facilities. This is a management position that will oversee seasonal help. Applicants must possess a valid Nebraska driver's license with clean driving record. Must also be able to obtain both a Grade III State of Nebraska Water Operator License & a Nebraska Department of Environmental Class II Wastewater License within first year of employment. This is a full-time position with benefits. Wage depending on qualifications and experience. Applications may be picked up at the Village Office, 102 S Kildare Street, Greeley, NE or email vog@centercable.tv Applications will be accepted until position is filled. EOE.

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on page 22**



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