

NEBRASKA MUNICIPAL REVIEW

■ Lincoln City Libraries announce
elimination of overdue fees

■ Nebraska airports receive \$9.25 million
in federal grants

■ NLC's America Works Report examines
key drivers that will shape workplace
changes over the next decade

Official Publication of the League of Nebraska Municipalities

SEPTEMBER 2022

League of Nebraska Municipalities 2022 Annual Conference Highlights



Contents

SEPTEMBER 2022

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About the Cover:

2022 League of Nebraska Municipalities
Annual Conference Highlights.

Top left from left: Incoming League
President Deb VanMatre, Mayor of
Gibbon, accepts gavel from outgoing
League President Paul Lambert, Mayor
of Plattsmouth.

Top right: Top left from left: Gov. Pete
Ricketts, who was the luncheon keynote
speaker; Clayton C. Anderson, former
NASA Astronaut and SAC Museum
President and CEO; League President
Paul Lambert, Plattsmouth Mayor.

Lower left from left: Clayton C. Ander-
son, former NASA Astronaut and SAC
Museum President and CEO; Catherine
Jo Mills, Ansley Village Chairperson.

Lower middle: David Landis, JD, MPA,
Instructor at UNL College of Law,
former State Senator and former Urban
Development Director, City of Lincoln.

Lower right from left: Jeni Mattern,
Clerk, Terrytown; Janine Schmidt, Clerk/
Treasurer, Morrill.

4	The Commentary by Gov. Pete Ricketts – Strengthening Nebraska's presence abroad
6	The Commentary by U.S. Sen. Deb Fischer – Nebraska travels
7	Nebraska airports receive \$9.25 million in federal grants
8	The Legal Corner by Tara A. Stingley – Just the facts, ma'am: Proper documentation of nondiscriminatory reasons for termination
10	LARM – The best laid plans of mice include finding a warm building
11	Papillion offers 4 bike share stations to residents
12	League of Nebraska Municipalities 2022 Annual Conference Highlights
18	Thanks to these sponsors of the 2022 Annual Conference
19	Omaha wins federal grant to transform south Omaha neighborhood
20	NLC's <i>America Works Report</i> examines key drivers that will shape workplace changes over the next decade
22	Nebraska's Lincoln ranked as third best state capital for living in U.S.
23	Crete Police Department adds K9 program
24	FEMA modernizes mobile app
25	Classifieds
26	Professional Directory

Larger Cities Legislative Committee

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Seth Sorensen, City Manager, Alliance
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CALENDAR

NLC City Summit	Nov. 16-19, 2022, Kansas City, Mo.
Utilities/Public Works Section Annual Conference	Jan. 11-13, 2023, Embassy Suites, Lincoln

Municipal Legal Calendar

(All statute citations to Revised Statutes of Nebraska)

NOVEMBER 2022 CITIES OF THE FIRST CLASS

First day.....	Class C liquor license year begins. (53-124)
Within 15 days of Passage.....	Clerk publishes ordinances passed. (16-405)
Within 10 days from meeting or before next meeting (whichever is sooner)	Clerk to have minutes available for public inspection. (84-1413)
Within 30 days from 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)
On or before December 1	TIF report due to Property Tax Administrator (18-2117.01)

CITIES OF THE SECOND CLASS AND VILLAGES

First day.....	Class C liquor license year begins. (53-124)
Within 15 days of Passage.....	Clerk publishes ordinances passed. (17-613)
Within 10 days from meeting or before next meeting (whichever is sooner)	Clerk to have minutes available for public inspection. (84-1413)
Within 30 days from Council or Board meeting.....	Clerk publishes official proceedings of meetings 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)
On or before December 1	TIF report due to Property Tax Administrator (18-2117.01)

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

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Strengthening Nebraska's presence abroad

BY GOV. PETE RICKETTS

As Governor, I've prioritized strengthening Nebraska's presence abroad. Ninety-five percent of the world's population lives outside of America's borders. We must reach these international customers to grow Nebraska and create opportunities for our kids and grandkids.

Last month, I led a successful trade mission to the United Kingdom (UK) and Ireland. It's an opportune time to engage both countries. As the UK navigates their exit from the European Union (commonly known as Brexit), it is looking to strengthen relationships in the United States. At the same time, Ireland's economy is booming. In 2021, its Gross Domestic Product grew 13.5 percent. Ireland is home to a number of inventive ag tech companies looking to grow their presence internationally.

Has much to offer

Nebraska has a lot to offer both countries as they look to grow trade with the United States. In particular, we highlighted our reputation as a great home for insurers and our global leadership in agriculture – especially in beef and ethanol production. We also met with top government ministers to explore ways to reduce barriers to trade. Our trade delegation included insurance experts, farmers, ranchers and ethanol producers. They shared

Nebraska's story with British and Irish leaders and were great ambassadors for our state.

The potential to grow Nebraska's insurance industry was a primary reason why we chose the UK as a trade mission destination. The UK has Europe's largest insurance industry. Following Brexit, insurers there are looking to develop relationships in the United States. Our state punches far above its weight in insurance – ranking 1st nationally in surplus and 3rd in total assets. Nebraska's reputation for fair, consistent and transparent insurance regulation is highly attractive to companies looking to invest.

Met with British Insurers

While in London, we met with the Association of British Insurers. It represents 200+ member companies that collectively manage investments of nearly £1.7 trillion. We made the case for Nebraska as an ideal place for these companies to get started as they seek to roll out products and services nationwide in the United States. Eric Dunning, Director of the Nebraska Department of Insurance, made great connections with insurers and regulators in the UK during our mission. These relationships are promising as we seek to recruit investment in insurance.

Growing opportunities for Nebraska

agriculture was another top goal of our trade mission. It was especially timely for us to be in the UK to promote Nebraska ethanol. Last year, the UK upped its ethanol blending requirement for all gasoline from five-10 percent, generating demand for biofuels. Right now, there's concern in the UK about rising fuel prices and their impact on families struggling to deal with inflation.

As America's #2 ethanol-producing state, we're well positioned to meet the UK's need for clean, affordable fuel. Our trade delegation met with the UK's Department for Environment, Food and Rural Affairs (DEFRA) to tout the benefits of ethanol. We highlighted its cost-effectiveness and the steps we're taking to help ethanol plants capture and store carbon to reduce their environmental footprint.

Premium beef products

On the trade mission, we also highlighted Nebraska's premium beef products. Our state is the top provider of U.S. beef to the European Union. Through the first seven months of 2022, Nebraska beef exports to Europe are double what they were last year at this point. While in the UK and Ireland, we sought to build on this momentum.

Consumers in the UK want to know

Continued on page 5

Continued from page 4

where their food comes from and they are very conscious of the environment.

Family ranches

Our cattlemen were able to tell the story of their multi-generational family ranches and the great work they're doing to care for their land and animals. For instance, our ag delegation shared the success of the U.S. cattle industry producing 66 percent more beef while reducing its carbon footprint by 40 percent since the 1960s. They also highlighted that U.S. beef production has some of the lowest greenhouse gas emissions in the world – 10-50 times lower than in many other parts of the globe.

In Ireland, we had great meetings to discuss technological advances in

agriculture. Ireland specializes in food production and has a thriving ag tech sector. We met with ag startups to discuss all that Nebraska has to offer as a hotbed of agricultural innovation; business-friendly state; and great place to live, work and raise a family.

Reducing barriers

We also had high-level discussions with government leaders about reducing barriers to trade. In the UK, we met with Penny Mordaunt, Minister of State for Trade Policy. The UK is looking to connect directly with individual states with bilateral trade talks stalled at the national level. In Ireland, we met with Taoiseach Micheál Martin, Ireland's prime minister and head of government, to talk about economic development.

This month, I'm continuing my work to grow international trade. Recently, I attended the Midwest-US Japan Association conference to meet with key leaders from Japan – our state's 2nd largest export market. I'll also attend Husker Harvest Days (HHD). Since 2019, HHD has had an International Visitors Center to give guests an up-close look at the farm equipment, machinery and technologies that are made here and used all over the world. Additionally, I'll spend time with leaders from VDMA – the biggest association for manufacturing in Germany. At the State of Nebraska, we're dedicated to finding new markets for Nebraska's exports and recruiting international investment to our state. ■

Governor tours possible sites of Perkins County Canal and Reservoir System

In Septmeber, Gov. Pete Ricketts toured portions of the South Platte River Basin with state officials. The visit offered a firsthand look at drought conditions and included a windshield survey of possible routes and reservoir locations for the Perkins County Canal, the project designed to protect and preserve South Platte River water coming into Nebraska from Colorado.

The Governor was accompanied by Attorney General Doug Peterson; Speaker of the Legislature Mike Hilgers; and Tom Riley, the Director of the Department of Natural Resources. "Much of the state is in drought," Gov. Ricketts said. "This visit reinforced the need for us to protect every drop of South Platte River water we can. The Perkins County Canal is essential for this purpose."

Preliminary work on the canal project is progressing.

"At this time, we are following the path laid out by the Legislature as we work toward realizing the vision of a fully functional canal and reservoir system within the next few years," explained Director Riley. "This includes a study of the project as well as preliminary design and building plans.

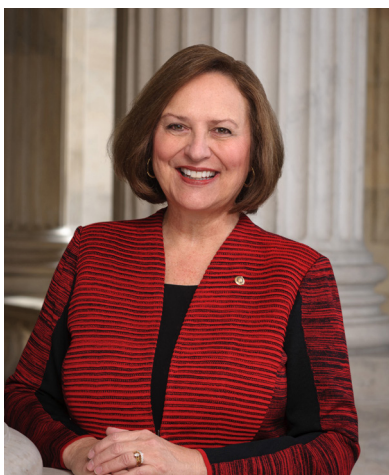
In the meantime, we are actively pursuing option agreements for properties along the general canal corridor. And, of course, we are continuing to dialog regularly with our counterparts in Colorado."

An independent report on the canal's costs, benefits and water supply is expected in December. ■

Source – Gov. Pete Ricketts' office



South Platte River at Roscoe. Photo courtesy of Gov. Pete Ricketts' office.



Nebraska travels

BY U.S. SEN. DEB FISCHER

Every August, I always enjoy traveling the state to visit directly with Nebraskans. Taking a moment to speak with constituents, listen to their concerns and talk about how we can best serve them is an important part of my job.

This year, I had the opportunity to travel through the western portion of our state and visit with folks in 10 different communities.

We started our travels in Gordon, where I visited the First National Bank of Gordon. The bank, like many other community banks across Nebraska, does critical work for the region. We also discussed their efforts to spur local economic growth, address affordable housing and support the next generation.

It also was great to visit in Gordon with leaders at Open Range Beef – a leading provider of organic meat in the United States. We discussed their collaboration with Nebraska ranchers to get great products to markets across the country.

Next was our roundtable discussion at Chadron State College at the Mari Sandoz Center. We focused our conversation on policies to help underserved communities generate new economic opportunities and retain talent in rural areas.

At another roundtable in Scottsbluff, I sat down with folks for an important discussion on teacher recruitment and skilled workforce training initiatives. I also met with a group of constituents to talk about retirement savings policy.

Making our office accessible for all Nebraskans is important to me. These roundtables and in-person sit-downs, which I do often all across the state, are a great opportunity to connect directly with constituents where they live and work. Meeting with individuals in Nebraska ensures no one feels that they have to travel all the way to Washington to share their perspective.

When I visited both Alliance and Sidney during our travels, I stopped by their state-of-the-art critical access hospitals. This special designation for hospitals ensures there are facilities that can provide rural communities with high-quality healthcare.

In Kimball, I received updates on a number of exciting economic developments. From the CleanHarbor's expansion project to their new hospital development and the positive impact of the Sentinel (GBSD) project – there is a lot to be positive about in the community.

When I travel the state like this, I'm often reminded of the many dedicated individuals who work tirelessly to

document and preserve their communities' storied history. This is certainly the case in Ogallala and North Platte, which I also stopped by.

For example, the Petrified Wood Gallery in Ogallala has put together an incredible collection of Nebraska artifacts and art. I appreciated the opportunity to tour their exhibits and see the centuries of history represented there.

Then there's the Lincoln County Historical Museum in North Platte. They have put together a wonderful and comprehensive exhibit on the history of the North Platte Canteen – a World War II-era effort to offer food and hospitality to millions of service members. Earlier this year, I introduced a bill that would collectively award the Congressional Gold Medal to recognize the many individuals who volunteered or donated items to the Canteen.

Our final stop was at the Nebraska state fair – a wonderful annual tradition. As I said last week, no visit is complete without a trip to the always delicious Beef Pit. I hope folks were able to attend this year.

One common theme I heard from Nebraskans across our great state was the pain of rampant inflation. Family

Continued on page 7

Nebraska airports receive \$9.25 million in federal grants

The Federal Aviation Administration announced (FAA) Aug. 30, that \$9.25 million in federal grants were awarded to four Nebraska airports in Alliance, Aurora, Burwell and Sidney, according to the Nebraska Department of Transportation.

Two airports were awarded federal grants through President Biden's Bipar-

tisan Infrastructure Law. (BIL). Burwell/Cram Field received \$110,000 and Sidney Municipal/Lloyd W. Carr Field received \$159,000 for hangar construction.

Two airports were awarded Airport Improvement Program (AIP) grants. Alliance Municipal Airport received \$4 million to rehabilitate its aircraft apron and Aurora Municipal/Al Potter Field received \$4.97 million to reconstruct a taxiway.

"We're happy to be able to partner with the FAA Central Region in Kansas City to get this essential grant funding to our airports," said Ann Richart, AAE, Director of the Aeronautics Division of NDOT. "We're encouraged that NDOT will participate with the FAA in the future to ensure that our communities will be able to make maximum use of these federal grant funds."

Nebraska's airports received over \$22 million out of a total of \$3 billion in AIP grants from the FAA this year.

AIP projects promote safety, efficiency, environmental stewardship, infrastructure and securing at the nation's airports. ■

Source – Nebraska Department of Transportation

Nebraska travels

Continued from page 6

farmers and local businesses are seeing their input costs rise, which in turn is making everything more expensive for constituents.

Throughout our travels, I spoke with a number of state press outlets. I always appreciate the important role local journalism plays in our state and their work to keep people informed about the latest developments.

This was another great work period, and I look forward to stopping by more communities soon. ■



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Tara A. Stingley

Just the facts, ma'am: Proper documentation of nondiscriminatory reasons for termination

BY TARA A. STINGLEY, CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER, L.L.P.

When it comes to defending against claims of employment discrimination, proper and accurate documentation can make all the difference. When disciplining or terminating an employee, employers must focus on legitimate, nondiscriminatory business reasons and document accordingly. Failure to do so, and failure to do so *properly*, can expose an employer to liability if a former employee can show discrimination based on membership in a protected class.

A. General Legal Principles

Employees may not be discriminated against because of their membership in a class or category protected by federal, state, or local law. Federal courts generally apply the *McDonnell Douglas* burden-shifting framework to discrimination claims based on circumstantial evidence.ⁱ A *prima facie* case of discrimination under this framework requires the plaintiff to show they: (1) are a member of a protected class, (2) were qualified for the job, (3) suffered an adverse employment action, and (4) were replaced by a person outside the protected class or treated differently than similarly situated non-protected employees.ⁱⁱ

If a plaintiff establishes a *prima facie* case of discrimination, the burden

shifts to the employer to articulate a legitimate, nondiscriminatory reason for the adverse employment action. If the employer meets this burden, “the presumption of discrimination is gone and the plaintiff must demonstrate that the employer’s proffered nondiscriminatory reason was not the true reason for the employment decision, but rather a pretext of discrimination.”ⁱⁱⁱ

To show pretext, the plaintiff must establish the proffered reason has no basis in fact, did not actually motivate the employer’s challenged conduct, or was insufficient to warrant the challenged conduct.

B. Recent Case: Statement of Facts

In *Sims-Madison v. Dana Com. Vehicle Mfg., LLC*, No. 21-5706, 2022 WL 898770 (6th Cir. Mar. 28, 2022), the plaintiff worked for the defendant for 15 years but was disciplined multiple times for disrespectful behavior in the workplace. Several employees complained of similar misconduct, so the defendant’s HR manager met with the plaintiff to discuss the complaints. The plaintiff expressed her intention to retire in five months, but the HR manager suspended the plaintiff for five days with the intent to terminate.

However, after conducting an investigation, listening to the plaintiff’s side of the story, and considering her 15 years of employment and plan to retire in five months, the HR manager reduced the suspension to one day with a final warning.

Over the next two months, more complaints against the plaintiff were made but, after speaking with the plaintiff about the complaints, the HR manager declined to fire her. However, after two more employees complained about the plaintiff’s conduct, the plaintiff was suspended pending an investigation. The plaintiff suggested retiring early in lieu of disciplinary action. The HR manager mailed an offer to the plaintiff but, hearing no response, he considered the offer rejected. The HR manager then concluded the final warning had been violated and officially fired the plaintiff.

The plaintiff filed a discrimination lawsuit, claiming her age and race were the true motivations for her firing. The lower court granted summary judgment in favor of the employer on the grounds that the plaintiff could not establish a *prima facie* case of discrimination or that the reasons for

Continued on page 9

Continued from page 8

firing her were pretextual.

C. Sixth Circuit's Application of General Legal Principles

On appeal, the Sixth Circuit Court of Appeals assumed the plaintiff could establish a *prima facie* case of discrimination but also that the employer had a legitimate, nondiscriminatory reason for terminating the plaintiff. As a result, the court focused exclusively on pretext and applied the facts to each of the three methods as follows:

The lower court had concluded the employer had an honest belief that the plaintiff's conduct was the reason for her termination. Since the plaintiff did not challenge that conclusion on appeal, the Sixth Circuit found that pretext under this method was unavailable.

There was no evidence, other than the plaintiff's unsupported assertion that the employer was racist, to establish that her race was the real reason for her termination. Additionally, although the plaintiff's retirement had been discussed by other employees, there was no evidence that anyone made direct references to the plaintiff's age. While the court stated references to someone's retirement could, at some point, constitute age discrimination, the court found the comments by other employees did not rise to the level of discrimination. Indeed, there was ample evidence the plaintiff's misconduct was the sole reason for her termination.

While seven other employees had allegedly engaged in similar conduct, all but one involved only isolated incidents. This one other employee, who was white and younger than the plaintiff, had a similar history of increasing discipline, was given a final warning, violated that final warn-

ing and was subsequently fired. As a result, the plaintiff failed to establish employees outside the protected class who "engaged in substantially identical conduct" but were not similarly disciplined.

The Sixth Circuit concluded the plaintiff failed to produce sufficient evidence to show her "disrespectful behavior" was not the reason for her

termination but was instead due to her race or age. As a result, the plaintiff did not meet her burden to show pretext, and her discrimination claim failed.

Practical Takeaway and Lessons to be Learned

The *Sims-Madison* case demonstrates the reduction in risk and the protections granted by thoroughly inves-

Continued on page 11



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LARM – The best laid plans of mice include finding a warm building

■ **BY DIANE BECKER**
COMMUNICATIONS/MARKETING
DIRECTOR, LARM ■

As the weather cools off, rodents are looking for warmer places to live, which means they are trying to enter nearly every building in Nebraska.

Common house mice or field mice that infest shops, offices and treatment plants are said to be the most invasive species in the world, mostly because of how often they reproduce. Six mice can quickly multiply to more than 60 mice in three months. It doesn't help that the lifespan of a mouse is about one year. Warmer temperatures and milder winters also have contributed to an upsurge in the mouse population.

Health dangers from mice

How important is it to control mice infestation in buildings? No one likes to look up and see a mouse crawl along the bottom of a wall or think of mice walking across desks in the middle of the night. More concerning are the

health dangers that mice bring to any workplace.

Hantavirus is a life-threatening disease from infected mice's urine or droppings. In 2012, 10 people were infected and three died from exposure to droppings infected with hantavirus in cabins at Yosemite National Park. Salmonellosis is another serious disease spread through rodent feces. Mice also can carry ticks and fleas into a workspace.

Incredibly destructive

Not only do mice potentially spread disease, they also can be incredibly destructive. Since mice have ever-growing incisors, they must continually gnaw on items. Mice will chew through wires, cables, wood and even electrical wires. They can make large holes in any canvas or soft items and have been known to eat through siding.

It's vital that mice infestation in any building is taken seriously.

If feces are spotted in a shop or office, it's a good possibility there is a mouse infestation. It has been said that if one mouse is spotted, there are probably 10 more in the area. Even if there aren't any signs of infestation, steps must be taken to ensure mice won't move into municipal buildings.

Search a building inside and out for any holes, cracks or crevices that a mouse might use to enter. Extermination experts say that mice can squeeze through holes the size of the width of a pencil. Use caulk or use steel wool to plug any of these holes.

Mice also can enter through improperly sealed sewer lines.

Many shop doors are kept open throughout the day, making an easy move inside for rodents.



Photo courtesy of LARM.

It is not recommended to use mouse poison in any public space where humans or pets could ingest it.

Traps should be used inside and outside of the buildings in locations along walls and behind trash cans. Many traps are available, including simple spring-loaded mouse traps and box traps.

Don't store uncovered food in a workspace. Always have it in a sealed container.

Housekeeping in storage areas

Do some housekeeping in storage areas. Piles of rags provide the perfect habitat for mice. The cleaner and more organized the site, the easier it is to spot and trap mice.

It may be wise to hire an exterminator to prevent and rid buildings of rodent infestation. They are experts in detecting where mice may be entering a building. Exterminators also know the ideal areas to set up and handle traps.

Take rodent control seriously as the health and safety of citizens and staff may depend on it. ■



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Just the facts, ma'am: Proper documentation of nondiscriminatory reasons for termination

Continued from page 9

tigating employee misconduct and documenting disciplinary actions. Specifically, the employer in this case kept clear and thorough records detailing the plaintiff's misconduct, discussions with those who had complained of her conduct, discussions with the plaintiff regarding this misconduct, internal documentation of the investigations into the misconduct and correspondence with the plaintiff stating the employer's reasoning for disciplinary actions.

By accurately recording complaints of misconduct, employers can provide sufficient support for their legitimate, nondiscriminatory reasons for terminating disruptive employees. In the event an employee then claims they

were terminated due to discrimination based on a protected class, this type of documentation may prove critical for the employer to meet its burden to overcome the plaintiff's *prima facie* case for discrimination and to overcome claims of pretext.

Employers also should remember that inaccurate or poor documentation may be worse than having no documentation at all. Documentation of performance issues and misconduct should be clear, concise and accurate, focusing on objective criteria and facts. It should be completed contemporaneously with the incident or event at issue. What is best included in documentation depends on the facts, but employers should generally strive to address the who, what, when, where, why and how of an incident. Where appropriate, employers should include key policies and communications with

the documentation and memorialize relevant evidence (including emails, text messages, video surveillance footage and other electronic information). And, when in doubt, employers should consult with legal counsel on best practices. ■

Editor's Note: This article is not intended to provide legal advice to its readers. Rather, this article is intended to alert readers to new and developing issues. Readers are urged to consult their own legal counsel or the author of this article if they wish to obtain a specific legal opinion regarding their particular circumstances. The author of this article, Tara A. Stingley, can be contacted at Cline Williams Wright Johnson & Oldfather, L.L.P., 12910 Pierce Street, Suite 200, Omaha, NE 68144, (402) 397-1700, tstingley@clnewilliams.com or www.clinewilliams.com.

Endnotes

ⁱ *Sims-Madison v. Dana Com. Vehicle Mfg., LLC*, No. 21-5706, 2022 WL 898770, at *2 (6th Cir. Mar. 28, 2022) (citation omitted).

ⁱⁱ *Id.* (citation omitted).

ⁱⁱⁱ *Id.*

Papillion offers 4 bike share stations to residents

Papillion has four Heartland Bike Share stations, part of a network of 80-plus stations across the Omaha metro area. Riders can check out a bike at one station and check it in at any other station. The system allows riders to buy a one-day pass or sign-up for a monthly or annual membership. The four stops are located at First Street Plaza, downtown Papillion, Papillion Landing, Prairie Queen Recreation Area and Walnut Creek Recreation Area. ■

Source — City of Papillion

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League of Nebraska Municipalities

2022 Annual Conference Highlights

Municipal officials from across Nebraska attended the 2022 Annual Conference at the Cornhusker Marriott Hotel in Lincoln Sept. 14-16. Delegates attended sessions on several subjects during the conference, including how to protect municipalities' financial assets, the changing landscape of operating assisted living facilities and skilled nursing facilities and LB 840 plans. Keynote speaker Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO, delighted those attending his session with stories and slides about his time as an astronaut. Another highlight of the Annual Conference is the delegate luncheon honoring Past League Presidents.

At the Annual Business Meeting held Sept. 16, these 2022-23 League **Executive Board Officers** were elected: President, Deb VanMatre, Mayor, Gibbon; President-Elect, Marlin Seeman, Mayor, Aurora; Vice President Bryan Bequette, Mayor, Nebraska City; Immediate Past President, Paul Lambert, Mayor, Plattsmouth.

Board of Directors: Jean Stothert, Mayor, Omaha; Leirion Gaylor Baird, Mayor, Lincoln; David Black, Mayor, Papillion; Eric Kamler, Mayor, Geneva; Tony Kaufman, Mayor, Gering; Julie Deepe, Mayor, Deshler; Catherine Jo Mills, Village Chairperson, Ansley; and, Joey Spellerberg, Mayor, Fremont.

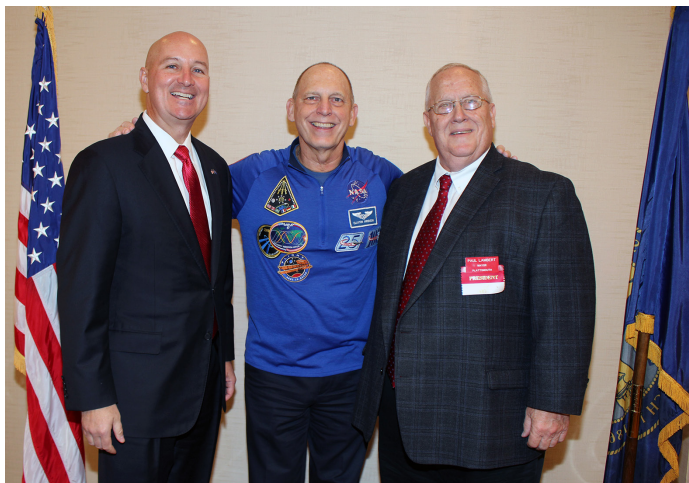
Other board representatives are Jeff Hofaker, City Administrator, Sutton (as the Manager/Administrator Representative), LeAnn Brown, Clerk/Treasurer, Oshkosh (as the Clerks Representative), and M. Layne Groseth, Public Works Director/City Administrator, North Platte, who was elected as the Utility Representative. ■



From left: Incoming League President Deb VanMatre, Mayor of Gibbon, accepts gavel from outgoing League President Paul Lambert, Mayor of Plattsmouth.



Incoming League President Deb VanMatre, Mayor of Gibbon, presents plaque of appreciation to outgoing League President Paul Lambert, Mayor of Plattsmouth.



Top left from left: Gov. Pete Ricketts, who was the luncheon keynote speaker; Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO; League President Paul Lambert, Plattsmouth Mayor.

Top right: Catherine Jo Mills, Ansley Village Chairperson.

Middle left: Sue Warner, Strategic Account Executive, Blue Cross Blue Shield of Nebraska, League Insurance Government Health Team.

Middle right: Steve Rathman, Plattsmouth Police Chief.

Bottom from left: Debbie Yosten, Deputy Clerk, West Point; Rusty Smith, West Point City Council Member; Kathy Peterson, Treasurer, West Point; Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO; Mary Kempf, Clerk, West Point; Tom Goulette, City Administrator, West Point.



League of Nebraska Municipalities

2022 Annual Conference Highlights



Top left from left: Lou Leone, City Administrator, Nebraska City; Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO; Bryan Bequette, Mayor, Nebraska City; Jeff Kohrs, Utilities Manager, Nebraska City.
 Top right: Craig Kubicek, CPA, CFE, Deputy Auditor, Nebraska Auditor of Public Accounts.
 Middle left from left: Denise Peterson, Administrator/Clerk/Treasurer, Ponca; Linda Jensen, Clerk/Treasurer, Central City.
 Middle right: David Landis, JD, MPA, Instructor at UNL College of Law, former State Senator and former Urban Development Director, City of Lincoln.
 Bottom: Caleb Fjone, Director, Ashland Area Economic Development.





*Top left: Ron Schilling, Council Member, Columbus.
 Top right: Jalene Carpenter, President and CEO, Nebraska Healthcare Association.
 Middle left: Sheila Schukei, Owner, Nebraska Pays Survey.
 Middle right from left: Becky Erdkamp, Clerk/Treasurer, Exeter; Alan Michl, Board Chairperson, Exeter.
 Bottom: Andrea Spillars, Region VII Administrator, FEMA.*

League of Nebraska Municipalities

2022 Annual Conference Highlights



Top left from left: Gov. Pete Ricketts; Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO; Incoming League President Deb VanMatre, Mayor, Gibbon.

Top right: Patrick Redmond, State Broadband Coordinator.

Middle left: Jeremy Marshall, City Administrator, Valley.

Middle right: Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO, signs his books for League delegates.

Bottom: Dennis Maggart, President, McInnes Maggart Consulting Group, League Insurance Government Health Team.



Top left: Jim Macy, Director, Nebraska Department of Environment and Energy.

Top right from left: Jeni Mattern, Clerk, Terrytown; Janine Schmidt, Clerk/Treasurer, Morrill.

Middle left: Fred Roskens, Owner, BlueLine Security Services, LLC.

Middle right from left: Ronda Livingston, Clayton C. Anderson, former NASA Astronaut and SAC Museum President and CEO; Dwight Livingston, League Past President and former Mayor, North Platte.

Bottom from left: Gerald Clausen, Senior Advisor, NCMA; Phil Green, Deputy City Administrator, Papillion.



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Omaha wins federal grant to transform south Omaha neighborhood

The City of Omaha, the Omaha Housing Authority (OHA) and a coalition of partners will receive a \$50 million federal grant to redevelop the Southside Terrace Garden Apartments and the surrounding Indian Hill neighborhood in South Omaha.

Omaha is one of four cities awarded the 2021 Choice Neighborhoods Implementation Grant by the U.S. Department of Housing and Urban Development.

Other principal partners are Canopy South and Brinshore Development, LLC.

The Choice Neighborhoods program helps communities redevelop neighborhoods with new mixed-income housing, programs and services for residents. The Southside Terrace Garden Apartments, opened in 1940 and is the last large multi-family public housing development operated by the Omaha Housing Authority.

"This is an opportunity to create lasting change in this neighborhood, and we thank HUD for supporting our team and our plan to create hope and opportunity and a new, better, quality of life," said Mayor Jean Stothert. "This is a commitment to affordable housing, education and accessible health services."

The grant announcement follows the award of a Choice Neighborhoods Planning and Action Grant in 2019 to create the Southside Terrace-Indian Hill Transformation Plan, which HUD accepted in March. Over the last three years, residents of Southside Terrace and the Indian Hill neighborhood participated in development of the plan to identify needs and priorities. The Transformation Plan calls for the demolition of the Southside Terrace apartments, to be replaced

with new housing and creating opportunities that provide better jobs, higher incomes, improved health and educational outcomes for residents.

The 358 apartments currently on the

Southside Terrace site will be replaced and a total of 746 new affordable and market-rate units will be built. ■

Source – City of Omaha

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NLC's *America Works Report* examines key drivers that will shape workplace changes over the next decade

The COVID-19 pandemic has changed the way we live – and especially the way we work. The National League of Cities (NLC) investigates the state of work in America's cities, towns and villages and key strategies that will shape workplace changes over the next 10 years in its new report, *America Works: How Entrepreneurial City Leaders Can Shape the Future of Work Now*.

Bold visions into actions

The strategies and case studies outlined in this report showcase mayors and city leaders who turned bold visions for their city into actionable plans. Many of the challenges cities face, and the strategies outlined in this report, require city leaders to embrace bold ideas, allow for agility and adaptability, and test innovative solutions through policy, programs and public-private partnerships. The strategies for local leaders focus on four pillars: Opportunity, Talent, Place and Social Infrastructure. The report showcases mayors and city leaders who turned bold visions for their cities into actionable plans.

We are a nation of cities with dramatically different economies of work. The report's six city typologies, **Superstar**, **Rising Star**, **Mighty Middle**, **Suburban Village**, **Zoom Town** and **Rural Town**, provide a lens for understanding economic conditions and guidance on best practices for communities.

"The future of work will be defined by entrepreneurial city leaders. The challenges are real, but if the last two years have shown us anything, it's that today's local leaders are up for the challenge," said NLC CEO and Executive Director Clarence E. Anthony. "As this report shows, city leaders are ready to take the steps necessary to successfully navigate the changing nature of work..."

Key findings from the report:

- While robots are on the rise, U.S. population growth rate is currently at an all-time low due to a record low birth rate of 1.6 and a sharp decrease in net immigration, which declined from 1 million new Americans per year in 2016 to less than 250,000 ev-

ery year since. America does not have a job shortage; it has a labor shortage. Automation is creating more jobs than it is destroying, but millions of workers will need to be trained for new roles.

- Patterns of urbanization are shaped by a reimagining of where and how work is done, leading to decentralization of the economy and economic life moving into neighborhoods. Fifty-three percent of all workers say their jobs can be done remotely if they were allowed and 64 percent of remote workers would consider looking for a new job if they were forced back to the office every day.
- Without intervention, the housing crisis will continue to exacerbate racial and social inequalities. Thirty percent of American families spend more than 30 percent of their income on housing.
- Climate change will be the defining challenge and economic opportunity for cities. A growing movement to electrify, decarbon-

Continued on page 21

Directory of Municipal Officials

Position/Information Changes

Municipality	Title	Delete	Add
Burwell	City Administrator	vacant	Jeff Pohl
Grand Island	Interim Attorney	Stacy Nonhof	
Hebron	Attorney	PO Box 29	Laura McAloon

Continued from page 20

ize and transition cities to 24/7 carbon-free energy is projected to create 25 million new jobs.

Many of the challenges cities face, and the strategies outlined in this report, require city leaders to embrace bold ideas, allow for agility and adaptability and test innovative solutions through policy, programs and public-private partnerships. As conveners, employers and policymakers, city leaders can take entrepreneurial steps to successfully navigate the changing nature of work and build inclusive cities of opportunity and community for years to come.

Expert Quotes from the Report:

- “My advice to city leaders would be to surf the wave. Don’t be King Canute screaming at the wave to stop.” – *Derek Thompson*, staff writer, *The Atlantic*.
- “Corporate concentration of power and racial and social inequality are the greatest threats to building a better American capitalism.” – *Natalie Foster*, president, *Economic Security Project*.
- “Housing and childcare are workforce infrastructure. If you have no home, you have no work. If you have no childcare, you cannot work.” – *Brit Fontenot*, director of economic development for Bozeman, Mont.
- “City leaders have an opportunity to dream and reimagine the human experience of their cities through big and small innovations that will spur inclusive economic opportunity.” – *Kate Wittels*, partner, HR&A Advisors.
- “Henry George had it right in the

1860s. The world is divided into three classes: capitalists, laborer and landlords. Who takes all the surplus? The landlords. We’ve created an economy of work where all the surplus of our labor is going to the dirt.” – *Richard Florida*, Founder, Creative Class Group & Professor at University of Rotman’s School of Management and School of Cities.

- “We have an opportunity in this next decade to focus not only on the quantity of jobs but the quality of jobs.” – *Rachel Korberg*, executive director, The Families and Workers Fund.
- “City leaders should be asking themselves every day: How can we make our city a laboratory for the people who are trying to create the future?” – *Bryan Walsh*, editor of *Future Perfect @ Vox*.
- “Americans from diverse educational and professional backgrounds can excel in these careers, with the right playbooks for re-

training: a focus on high-demand skills, impactful technical training and coaching throughout the transition.” – *Rebekah Rombom*, chief development officer, Flatiron School.

- “City leaders need to reform antiquated zoning codes to enable flexible, adaptive and mixed use – so their communities can get creative and build housing, restaurants, office, retail, experiences and pop-ups where people actually want and need them.” – *Diane Hoskins*, co-CEO, Gensler.
- “We need to be honest about the housing crisis our cities face. Under these current economic conditions, the cost of land, labor and materials simply makes building affordable housing impossible without government or philanthropic support.” – *Cyndy Andrus*, Mayor of Bozeman, Mont. ■

Source – National League of Cities

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Nebraska's Lincoln ranked as third-best state capital for living in U.S.

BY PAUL HAMMEL
NEBRASKA EXAMINER

An online financial advice firm is ranking Lincoln as the nation's third best state capital to live in, right behind Pierre, S.D. and Madison, Wis.

SmartAsset.com rated state capitals on a variety of factors, including estimated cost of living, unemployment rate, income growth and high school graduation rate.

Lincoln ranked highest for employment and education as well as for affordability, according to SmartAsset.

Lincoln tied for the fifth-lowest June 2022 unemployment rate of 2.4 percent and had the 14th-highest high school graduation rate, 93 percent.

Nebraska's Capital City also had the 14th-lowest annual cost of living (\$23,419) and the 15th-lowest down payment-to-income ratio at 60 percent.

Dover, Delaware was ranked as the



Nebraska State Capitol in Lincoln. © iStock.com

worst state capital, with the worst education and employment score among the capitals. Interestingly, Denver, Colorado ranked as the fourth worst state capital, getting low scores for affordability and leisure and safety.

SmartAsset said that with so many people moving to new locations, it made sense to assess which state capitals would be most attractive. ■

<https://nebraskaexaminer.com/>

Lincoln City Libraries announce elimination of overdue fees

Lincoln City Libraries (LCL) announced that effective Sept. 1, it will stop charging overdue fees on all library materials. Library patrons still will be charged the repair or replacement costs for lost and damaged items.

LCL also will forgive overdue fine debts, but not lost/damaged item debts. Items not returned 21 days after the due date are considered lost.

Traci Glass, Assistant Library Di-

rector, said that research shows overdue fines serve as a barrier to equitable access and dissuade the use of library services by lower income families, in addition to not being an effective tool in the return of library materials.

"It is the mission of Lincoln City Libraries to foster the power of reading and provide open access to all forms of information to enrich lives every day," Glass said. "This policy will enhance our ability to provide important access to all Lincoln residents."

Glass said that overdue fines represent only 1 percent, or about \$99,550, of the LCL budget. The elimination of overdue fines was recently approved by the City Council as part of the 2022-2024 City budget.

Lincoln City Libraries eliminated overdue fines for youth materials in 2019. For more information on LCL, visit lincolnllibraries.org. ■

Source – City of Lincoln

Crete Police Department adds K9 program

The Crete Police Department's first K9 team will be officially introduced soon with handler, Officer Audrey Arbuckle, and Hunk, a one-year-old Belgian Malinois.

Officer Arbuckle and Hunk have been training together in Texas since the beginning of August and will return in September at which time Hunk will reside with Arbuckle in Crete.

Arbuckle is a senior patrol officer on the Crete Police Department with a degree in Criminal Justice from Midland University. She also serves as a Field Training Officer and is a recipient of the department's Life Saving Award.

Hunk will work as a "dual purpose" dog trained in patrol and narcotics. He'll be well fed with an ample supply of food from Nestle Purina – Crete, which approached the department with an offer to donate. His healthcare

will be provided at no cost by Lothrop Veterinary Clinic.

The process of adding a K9 program to the police department's services began during discussions with city officials and detailed research was followed by a corresponding department presentation to the Crete City Council in March. The council approved an agreement with TCI (True Canine International) in June for a K9 purchase and Handler Certification Course.

A new, outfitted patrol vehicle is included in the 2022-2023 police department budget.

Donations are also being collected to fund additional equipment and supplies for the K9 program, a common practice of programs locally and elsewhere. Several local businesses have or

will be holding fundraising events and the Crete Community Foundation is working with the city to set up tax deductible online donations. ■

Interim legislative committee hearings underway

Interim legislative committee hearings are underway and the schedule can be viewed on the Legislative Calendar on the Legislature's website at <http://nebraskalegislature.gov/>. A listing of the interim studies for 2022 can be found on the Legislature's website at https://nebraskalegislature.gov/pdf/reports/interim/2022_interim_study.pdf. ■

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. ■



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FEMA modernizes mobile app

FEMA announces updates to its mobile app – in English and Spanish – to give users increased personalization options and help them take charge of disasters. In addition to all-new features like disaster declaration notifications and frequently asked questions on assistance applications, popular features such as weather alerts, emergency shelter locations and disaster recovery center information will remain, but with an entirely new, user-friendly look and feel. Preparedness information on the FEMA app also has been updated and simplified and will present interactive preparedness information grouped by topic.

The app is available for download on iOS or Android. Current users will need to update their app and enter profile information but will not need to re-download it to access new features. Watch our FEMA App animation and visit the FEMA App webpage for additional information. ■

Source – FEMA



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Positions

variety of supervisory, administrative, skilled, technical, and maintenance work in the operation, planning, construction, repair, maintenance, and replacement of City Services. City Services shall include water, sewer, street, and storm drainage facilities and systems, parks, cemetery, and tree lot. Must maintain required state certifications to be the water operator for the City of Gothenburg and required state certifications for wastewater. Full job description and application may be picked up at the City Office at 409 9th Street; or you can apply online at <https://ci.gothenburg.ne.us/>. If you have questions contact Tara Hite, HR/Admin. Assistant at (308)537-3668. City is an EOE, offering a good starting salary and an excellent benefit package. Position will remain open until filled.

Police Officer. City of Valentine seeking a highly-qualified applicant for the position of full-time Police Officer. Applicants must be U.S. citizens; 21 years of age; never convicted of a felony or serious misdemeanor by any Court, be in good physical condition and possess excellent moral character; possess a valid driver's license and a high school diploma or G.E.D. certificate. Applicants must meet all requirements for entry into Nebraska Law Enforcement Training Center or have a current Nebraska Law Enforcement Certification. Applicant must be able to work weekends, holidays and rotating shifts.

Please send resume and cover letter to Chief Miller at 365 N Main St. Suite 10, Valentine, NE 69201 or email to valentinepd@ValentineNE.gov. Position will be opened until filled. City of Valentine is an

Positions

EOE and Veteran Preference Employer. Starting wage non-certified \$23.13. Open until filled. Contact Person:

Chief Dana Miller. Contact Email: valentinepd@ValentineNE.gov. Contact Phone: 402-376-3055. Contact Address: 365 N Main St. Suite 10, Valentine, NE 69201. Web Site: www.valentineNE.gov.

Utilities Supervisor. Village of Greeley is accepting applications for full-time Utilities Supervisor. Job responsibilities include but not limited to: maintenance, repair and upgrades of all utility systems, streets and parks; equipment operation; water and sewer sampling. Applicants must be at least 19 years of age and have high school diploma or equivalent. Must possess basic computer skills, have a valid Nebraska driver's license and pass a background check and drug test. Must be able to obtain Nebraska Grade III water operator license, Grade II wastewater treatment facility certification, and ornamental and turf pesticide training and public health and pest control applicator's certification within one year of hire. Emergency on-call is a job requirement. Must reside within village limits. Wages based on qualifications and experience. For application, contact Village Clerk at vog@centercable.tv, 102 S Kildare, Greeley, NE 68842 or call (308) 428-4010. Submit completed application along with current resume to above address. Position opened until filled. EOE.

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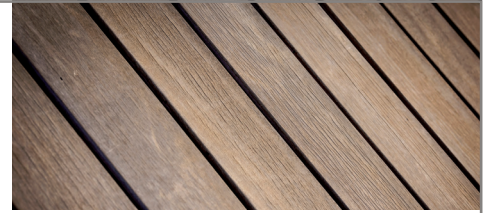
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