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## **Council rides herd on audited Fire Department Members call for monthly reports following state criticism on bookkeeping**

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With no apparent outlet for action, the **Omaha** City Council instead chose sharp words for the city's **Fire Department** after a **state auditor's** report revealed "woefully inadequate" payroll bookkeeping. In a unanimous resolution Tuesday, the council said the **department** should immediately implement the **auditor's** recommendations and begin monthly reports on progress. The council also called for a follow-up audit within a year.

Also Tuesday, the verbal sparring over the **Fire Department's** finances has landed the spokesman for an **Omaha** business group in court.

Firefighters union President Steve LeClair is suing the union's most outspoken critic, businessman David Nabity, alleging defamation for comments made on a radio show last week.

LeClair told the council the **Fire Department** has cooperated with the **Department** of Labor, the FBI, the **Department** of Justice and the U.S. Attorney's Office, in addition to the **state auditor**. None, he said, has proven any wrongdoing.

"At some point, somebody please find a smoking gun, because we have a job to do," LeClair said.

The council's resolution took note of the fact that union officials had refused to meet with the **state auditor**. Instead the union insisted on communicating via written questions and answers.

The resolution called the lack of cooperation with **auditors** unacceptable.

"The City Council is deeply concerned and disappointed in the serious lack of responsibility, accountability and transparency in the handling of public funds. Inept bookkeeping and misuse of public monies will not be tolerated and needs to be immediately addressed," the resolution said.

Only the mayor has authority to require the changes outlined in the **auditor's** report. The administration has said it will begin implementing the recommendations.

Councilman Franklin Thompson said the council would continue to investigate past actions within the **department**.

"We're not just saying 'Do good from here on out,' " he said. "We're saying if there was something done wrong in the past, then that needs to be revealed. I'm not against bringing people in front of some sort of board and saying 'Prove it or heads roll.' "

The **auditor** began looking into **Fire Department** finances in February after receiving complaints of financial improprieties. At least some of the complaints came from the **Omaha** Alliance for the Private Sector, a group headed by **Omaha** business people.

Nabity, spokesman for the group, told the council Tuesday the resolution doesn't go far enough. The lack of reliable records could not be accidental, he said, and the council should ask for the immediate resignations of the **fire** chief and his assistants.

"It's a \$70 million-a-year fund. It's not a lemonade stand. If you can't audit that agency, it has to be deliberate," Nabity said. "Those of us in the private sector would be prosecuted for those kinds of things. But in government, we say 'Oh, OK.' "

Several council members took exception to accusations that they sat idly by while city finances were poorly managed.

Councilman Chris Jerram pointed to a whistle-blower ordinance that protects city employees who report illegal or unethical practices. Councilman Ben Gray talked about how the council eliminated minimum staffing requirements for firefighters and implemented a performance-based budgeting process. Council President Garry Gernandt said taxpayers should allow the city's system to work, because problems are being addressed.

Still, the problems in the **Fire Department** affect the council's credibility, said Councilwoman Jean Stothert. She said it's hard to claim city finances are cut to the bone when bookkeeping practices such as those revealed at the **Fire Department** go on.

"I think we should make no excuses whatsoever," she said. "We need

to send that message loud and clear that these failures will not be tolerated."

City Finance Director Pam Spaccarotella said many of the items noted in the **auditor's** report have already been or are being addressed.

She said moves the city has made, such as removing positions through attrition, have put the **department** close to within budget. She noted the **department** has been under budget in only two of the past 10 years.

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