I. CITY CLERK

II. MAYOR’S CORRESPONDENCE

III. DIRECTORS’ CORRESPONDENCE

URBAN DEVELOPMENT

1. Street and Alley Vacation No. 18005
2. Street and Alley Vacation No. 19002
3. Street and Alley Vacation No. 19003

IV. CONSTITUENT CORRESPONDENCE

1. 1/4 cent Sales Tax - Eugene Cook
    Staff response provided by Councilwoman Raybould and Miki Esposito, Director, Transportation & Utilities
2. Water Service Fees/Wastewater Charges - Sue Pierce
    Staff response provided by Angie Birkett, City Council Secretary
3. Use Permit #132C, request one week deferral - Mark Hunzeker
A request has been made to vacate a portion of the right of way stub approximately 6,760 square feet in size located on the east side of North 70th Street, near "P" Street. The area was viewed and currently is a concrete driveway with a short raised median with two City street sign located on the median. The street stub was used as the entrance to a restaurant that is now closed and appears to be in the process of being demolished. The area was originally purchased in the early 70's, but the City has no current plans to make this a thru street. The vacation will increase the buildable area of the adjoining commercial lot and reduce the front setback near the right of way. According to the staff report, multiple utilities are in the area and will be retained as part of the transfer. A public access easement will also be provided for the entire area which will allow vehicles and pedestrian traffic use of the driveway.

This parcel is not buildable on its own, and the only real value for parcels such as these is for assemblage with the adjacent property. The area is currently zoned B-5 and the adjacent property was recently sold for approximately $20.00 per square foot according to the information from the deed of record. This appears to be in line with other commercial property values in this area. It is not expected any purchaser would be willing to pay more than 10% of fee value for assemblage especially with the retention of easements required by this vacation. The estimate for the area to be vacated is then calculated as follows:

\[ 6,760 \text{ sf} \times 20.00 \times 10\% = 13,520 \]

Therefore, if the area is to be vacated, it is recommended that the area be sold to the applicant for $13,520.

Respectfully submitted,

Michelle R. Backemeyer
Real Estate & Relocation Assistance Agent
A request has been made by the Nebraska Horsemen's Benevolent & Protective Association (NHBPA) to vacate a portion of Schmidt Court (old 1st Street). This area is located between two parcels owned by the NHBPA and consists of 39,736.52 square feet of unused street ROW. The vacation is a requirement before any construction can start in Phase 2 of the Southwest Village PUD.

The area to be vacated was viewed by the writer and consists of volunteer grasses, small cedar trees and brush. It sits lower than the current street, and may have recently been under water. Little, if any, maintenance is done in the area. There are electrical poles located on the west side of the part to be vacated with transmission lines located just east of the parcel. LES has requested easements for the entire vacation area for overhead and underground facilities as well as the east 50 feet to be retained for the transmission lines. No other utilities are located in the area to be vacated. The entire area is in the floodplain, and a request by City watershed management for a conservation easement has also been made.

The parcel is zoned B-2 but has limits because of the floodplain and LES easements. According to the PUD, the area is not approved for parking or recreational uses and will remain non-buildable until a future administrative amendment is approved. Properties in the vicinity indicate a value in the range of $1.00 to $1.50 a square foot and will be considered in this valuation assignment. The area will ultimately become part of a larger parcel, and in its current state, would be difficult to develop on its own. Its only real value is for assemblage with the adjacent properties, and the vacation was a requirement of the PUD. For these reasons, it's not expected a buyer would pay full value for this parcel. Since there are also limitations with the floodplain and LES easements, a rate of 10% of the underlying land value is considered appropriate. Consideration was not originally given to the fact that the conservation easement on the vacated street will leave the applicant with two different restrictions on the larger parcel and could make it more difficult to develop. Further research, indicates the City has no plans to acquire a conservation easement on either parcel adjacent to the vacation. With that, the value of the parcel will be considered at the lower end range of values as cited above, and will be calculated as follows:

\[39,736.52/\text{sf} \times 1.00 \times 10\% = 3,973.65, \text{called} \ 3,975\]

Therefore, if the area is to be vacated, it is recommended that the area be sold to the applicant for $3,975.

Respectfully submitted,
A request has been made to vacate the east-west alley North of 2210 and 2234 Holdrege Street and South of 1516 N. 22nd Street. The area to be vacated was viewed by the writer and is approximately 1,873 sf in size. A wood fence blocks the alley about 30 feet west of 22nd Street and this area is filled with firewood. Beyond that there are large conifer and deciduous trees and a metal flat bed trailer full of brush. Looking from the east end of the alley, there are more trees, brush, trash cans and other miscellaneous items. There are LES electrical poles, wires and pedestals located along the southern edge of the alley. Utility easements are being retained for LES, ALLO and for City sanitary sewer purposes as a sanitary sewer main is located in the alley.

The adjacent properties are currently zoned R-4, and the writer has knowledge of comparable lot sales in the area in the range of $20,000 to $25,000. Since these lots are larger in size than most lots in the neighborhood, $25,000 per lot will be used for the underlying land value. Considering the size of the lots, this equates to approximately $2.50/sf. Small narrow strips such as the one rarely have any value to anyone except the abutting landowners and are primarily used as additional yard area for landscaping, gardening or reducing the setback area for a garage or outbuilding. In this case, it is not expected any purchaser would be willing to pay more than roughly 10% of fee value for assemblage especially with the retention of the various easements.

An agreement among the three property owners indicates the owner of 2234 Holdrege will be buying the entire alley. Calculations for the entire alley to be vacated is as follows:

\[1,873 \text{ sf} \times 2.50 \times 10\% = 468.25, \text{ called } 470.00\]

Therefore, if the area is to be vacated, it is recommended that the area be sold to the applicant as indicated above for a total of $470.00.

Respectfully submitted,

[Signature]

Michelle R. Backemeyer
Real Estate & Relocation Assistance Agent
Dear Mr. Sidewalks on Lincolnshire Road, Lincoln, NE

7100
7120
7220
7240
7320
7420
7440
7500
7510
7520

Curve on east side of Devonshire Drive

8912 Devonshire Dr. Sidewalk very slanted
1916
1918

04-10-2019

To: Transportation & Utilities/Street Department
949 West Bond St. 200 Lincoln, NE 68521

After eight years of the current Mayor doing basically nothing to repair or replace sidewalks in residential areas, a Quarter cent sales tax was approved using taxpayer money to promote it without taxpayer consent, and it appears we will get more of the same in future years.

I know that you will do nothing to repair the residential sidewalks based on prior requests, but thought I would try.

cc: 7 Members of the City Council

Eugene Cook
Hi Councilwoman Raybould,
Yes – this is helpful! I assigned the earlier request to Taylor Buss, who leads our Sidewalk Program. I will get this information to him as well.

Thank you for sharing it.

Miki

Miki Esposito
Director of Transportation and Utilities | Administration
City of Lincoln Transportation and Utilities
O: 402-441-6173 | M: 402-525-0065

Miki,  

I believe this is the elderly gentleman that I spoke with earlier this year about some bad sidewalks and asked him for more specific addresses. His list is very helpful!

Thank you for directing this on.

Jane

The attached letter was received for each Council member. I will get this added to the addendum for Monday. Thanks!!

Angie Birkett
I received a call today from the following constituent wanting to voice her concerns of the water service fees and wastewater charges that are constantly in excess of her actual water use. I discussed with Ms. Pierce the breakdown of how the charges are assessed. Per her request, I sent her a copy of the following information that is available on the following website; [https://www.lincoln.ne.gov/city/ltu/water/customer/rates.htm](https://www.lincoln.ne.gov/city/ltu/water/customer/rates.htm). Attached is a copy of the letter and attachments that I sent to her via postal mail.

She asked that I pass her concerns on to Council members.

Thanks.

Angie Birkett  
Office Coordinator  
Lincoln City Council  
555 South 10th St., Ste 111  
Lincoln, NE 68508  
Phone 402-441-6867  
Fax 402-441-6533  
abirkett@lincoln.ne.gov
Sue Pierce  
2210 Heritage Pines Court  
Lincoln, NE 68506  

April 12, 2019  

Dear Ms. Pierce,  

Thank you for contacting the office of the Lincoln City Council regarding your concerns of the water service fees and wastewater charges currently assessed on your water bill.  

As I mentioned in our conversation the water service fee is determined by the size of the water meter and the wastewater rate is based on a flat fee of $1.952 per unit. Under this rate system, you pay for only the water sent into the wastewater lines. Also, a rate survey was completed by Lincoln Water System in November, 2018. The rates identified in the enclosed list are based on a monthly bill. You’ll notice the rate survey was done both, locally and regionally based on cities of similar comparison to Lincoln.  

Per your request your concerns have been sent to all seven Council members.  

Again, thank you for contacting the office of the Lincoln City Council.  

Kind regards,  

Angie Birkett  
Office Coordinator, Lincoln City Council  
Phone 402-441-6867  
abirkett@lincoln.ne.gov  

Enclosure(s) Water & Wastewater Customer Service & Billing
Water and Wastewater Rates

Effective November 2018

The Lincoln City Council approved a 5 percent revenue increase, which is effective November 2018.

The Lincoln Water and Wastewater System is a utility and does not receive City General Fund tax dollars. The income derived from rates pays for the maintenance and other costs involved in operating the two utility systems. In addition, a portion of this income is invested in Lincoln’s future through water and wastewater system improvements.

RESIDENTIAL WATER RATES

Residential water bills are determined by an increasing block structure. Under this pricing formula, the more water you use, the higher the price per unit of water. Traditionally, residential water use has been a major cause of fluctuations between low winter and high summer use. The price structure’s intent is to encourage the wise use of water.

Water is sold by the unit. One unit equals 100 cubic feet or 748 gallons. Each water bill indicates how many units of water you purchased in a billing period. Lincoln’s rate structure has three price “blocks.” While water rates are based on use in a one-month period, most customers are billed bi-monthly. To make computing your bill easier, the chart shows price blocks on a monthly and bi-monthly basis.

<table>
<thead>
<tr>
<th>Price Blocks</th>
<th>$1.411/unit</th>
<th>$2.007/unit</th>
<th>$3.109/unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly</td>
<td>1-8 units</td>
<td>next 15 units</td>
<td>all additional units</td>
</tr>
<tr>
<td>Bi-monthly</td>
<td>1-16 units</td>
<td>next 30 units</td>
<td>all additional units</td>
</tr>
</tbody>
</table>

For example, to compute a bi-monthly use of 49 units:

- units 16 x $1.411 = $22.58
- units 30 x $2.007 = $60.21
- units 3 x $3.109 = $9.33
- 49 x $92.12

* The water and wastewater service charge and wastewater fee must be added in to determine your total bill.

NON-RESIDENTIAL WATER RATES

A majority of non-residential or business customers use a consistent amount of water year-round. As a result, the Lincoln Water System can more readily predict their water use and provide for those needs. In addition, nonresidential customers provide an economic base which is important to the development of our City. For these reasons a non-residential rate schedule was developed.

There are currently two levels of non-residential users. Customers who used less than 12 million cubic feet the previous calendar year will pay:

<table>
<thead>
<tr>
<th>Price Blocks</th>
<th>$1.411/unit</th>
<th>$2.007/unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly</td>
<td>1-80 units</td>
<td>all additional units</td>
</tr>
<tr>
<td>Bi-monthly</td>
<td>1-160 units</td>
<td>all additional units</td>
</tr>
</tbody>
</table>

Non-residential customers who used more than 12 million cubic feet the previous calendar year are billed according to the high user schedule. On a calendar-year basis, a "base usage" of each high user customer is determined. The base usage is an average of the water usage of each high user customer for the previous three calendar years. The following rates would apply:

- $1.340 per unit for water usage less than base to 5% above base
- $1.389 per unit for water usage 5% to 15% above base
- $1.433 per unit for water usage 15% to 25% above base
- $1.477 per unit for all water usage more than 25% above base

**WASTEWATER FEE**

Unlike your water bill, the wastewater fee for residential customers will not change every billing period. Under this rate system, you pay for only the water sent into the wastewater lines.

To predict how much water you use for domestic purposes, the fee is based on your winter water usage. Water you use for summertime air conditioning, gardening, lawn watering and other outdoor uses is not included.

**The wastewater rate is based on a flat fee of $1.952 per unit and is the same for all customers.**

For example, if you use 20 units of water during a winter billing period, then your sewer use fee would be: units 20 x $1.952 = $39.04

This fee remains the same even in the summer months when water use normally increases.

Wastewater fees for non-residential users are determined by each month’s water use. In addition, some industries pay a surcharge for high-strength waste (LMC 17.60.050).

**WATER SERVICE CHARGE**

The water service charge on your bill covers the cost of accounting, billing, collecting money, meter services, etc. It also represents "an ability to serve" charge. This means that water will be supplied through public water lines large enough to meet the demands of each customer and the needs of a Citywide fire protection system.

The size of water meter determines what the service charge will be.

<table>
<thead>
<tr>
<th>Water Meter Size</th>
<th>2018/19 Monthly Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8 inch</td>
<td>$6.89</td>
</tr>
<tr>
<td>5/8 x 3/4 inch</td>
<td>$10.42</td>
</tr>
<tr>
<td>3/4 inch</td>
<td>$10.42</td>
</tr>
<tr>
<td>1 inch</td>
<td>$17.39</td>
</tr>
<tr>
<td>1 1/2 inch</td>
<td>$34.68</td>
</tr>
<tr>
<td>2 inch</td>
<td>$55.50</td>
</tr>
<tr>
<td>3 inch</td>
<td>$104.13</td>
</tr>
<tr>
<td>4 inch</td>
<td>$173.58</td>
</tr>
</tbody>
</table>
### WASTEWATER SERVICE CHARGE

Like the Water System, the Wastewater System must charge for services like accounting, sewer maintenance, etc.

The size of water meter determines what the service charge will be.

<table>
<thead>
<tr>
<th>Water Meter Size</th>
<th>2018/19 Monthly Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 inch</td>
<td>$347.08</td>
</tr>
<tr>
<td>8 inch</td>
<td>$555.33</td>
</tr>
<tr>
<td>10 inch</td>
<td>$798.36</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Water Meter Size</th>
<th>2018/19 Monthly Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8 inch</td>
<td>$3.49</td>
</tr>
<tr>
<td>3/4 inch</td>
<td>$6.76</td>
</tr>
<tr>
<td>1 inch</td>
<td>$12.03</td>
</tr>
<tr>
<td>1 1/2 inch</td>
<td>$23.86</td>
</tr>
<tr>
<td>2 inch</td>
<td>$38.21</td>
</tr>
<tr>
<td>3 inch</td>
<td>$71.77</td>
</tr>
<tr>
<td>4 inch</td>
<td>$119.69</td>
</tr>
<tr>
<td>6 inch</td>
<td>$239.18</td>
</tr>
<tr>
<td>8 inch</td>
<td>$382.73</td>
</tr>
<tr>
<td>10 inch</td>
<td>$550.35</td>
</tr>
</tbody>
</table>

### REMINDER TO ALL LINCOLN WATER/WASTEWATER SYSTEM USERS

The water and sewer service lines from the main connections to a building are the responsibility of the building’s owner.

### RATE SURVEY

A rate survey was completed by Lincoln Water System in November 2018. The rates identified below are based on a monthly bill.
Residential customer with a 3/4" meter using an average of 11 units of water per month (including service charge).

11 units of water equals 8,228 gallons.

<table>
<thead>
<tr>
<th>Local</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lincoln, NE</td>
<td>$27.73</td>
</tr>
<tr>
<td>Waverly, NE</td>
<td>$28.90</td>
</tr>
<tr>
<td>Nebraska City, NE</td>
<td>$29.76</td>
</tr>
<tr>
<td>Beatrice, NE</td>
<td>$31.95</td>
</tr>
<tr>
<td>Hickman, NE</td>
<td>$39.00</td>
</tr>
<tr>
<td>York, NE</td>
<td>$39.39</td>
</tr>
<tr>
<td>Rural Water District #1</td>
<td>$50.00</td>
</tr>
<tr>
<td>Seward, NE</td>
<td>$53.80</td>
</tr>
<tr>
<td>Bennet, NE</td>
<td>$74.58</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regional</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lincoln, NE</td>
<td>$27.73</td>
</tr>
<tr>
<td>Omaha, NE</td>
<td>$38.45</td>
</tr>
<tr>
<td>Wichita, KS</td>
<td>$42.82</td>
</tr>
<tr>
<td>Cedar Rapids, IA</td>
<td>$48.15</td>
</tr>
<tr>
<td>Des Moines, IA</td>
<td>$51.21</td>
</tr>
<tr>
<td>Springfield, MO</td>
<td>$51.51</td>
</tr>
</tbody>
</table>

Residential customer with a 3/4" meter using an average of 9 units of wastewater per month (including service charge).

9 units of wastewater equals 6,732 gallons.

<table>
<thead>
<tr>
<th>Local</th>
<th>Wastewater</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lincoln, NE</td>
<td>$24.33</td>
</tr>
<tr>
<td>Beatrice, NE</td>
<td>$28.50</td>
</tr>
<tr>
<td>York, NE</td>
<td>$34.70</td>
</tr>
<tr>
<td>Bennet, NE</td>
<td>$36.39</td>
</tr>
<tr>
<td>Nebraska City, NE</td>
<td>$41.10</td>
</tr>
<tr>
<td>Seward, NE</td>
<td>$47.80</td>
</tr>
<tr>
<td>Hickman, NE</td>
<td>$54.63</td>
</tr>
<tr>
<td>Waverly, NE</td>
<td>$55.39</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regional</th>
<th>Wastewater</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lincoln, NE</td>
<td>$24.33</td>
</tr>
<tr>
<td>Cedar Rapids, IA</td>
<td>$33.32</td>
</tr>
<tr>
<td>Wichita, KS</td>
<td>$34.75</td>
</tr>
<tr>
<td>Springfield, MO</td>
<td>$38.99</td>
</tr>
<tr>
<td>Des Moines, IA</td>
<td>$48.77</td>
</tr>
<tr>
<td>Missouri River WW (Omaha)</td>
<td>$60.70</td>
</tr>
</tbody>
</table>

- PDF Version of Water/Wastewater Rates Brochure (172 K)

**RATES ARCHIVE**

PDF format


**RELATED LINKS**

- Payment Options
- Billing/Third-Party Notice
- Electronic Payment
- Water Conservation

**Lincoln Municipal Code**

- Chapter 17.22 - Water Use Charge
- Chapter 17.58 - Regulation of Wastewater Discharge
- Chapter 17.60 - Wastewater Charge

City of Lincoln
Transportation and Utilities
Business Office

Gail Van Slyke
Utilities Service Supervisor
gvanslyke@lincoln.ne.gov

555 S 10th St, Ste 203
Lincoln, NE, 68508 USA

Customer Service/ New Services 402-441-7551
Collections/Past Due 402-441-7533
Permits/New Taps 402-441-7534
Fax 402-441-7765

Hours 7:30-4:30 Mon-Fri

Related Links
- Lincoln Municipal Code Title 17 - Water

Chairman Shobe and members of the council:
On behalf of the applicant, we request a one week deferral of public hearing on this matter. We are attempting to meet with staff to work out the conditions of approval. Thank you for your consideration.

Mark A. Hunzeker
Baylor Evnen Law Firm
600 Wells Fargo Center
1248 "O" Street
Lincoln, NE 68508
MHunzeker@BaylorEvnen.com