



**No Directors' Meeting this week in observance of Labor Day
This report is in lieu of an agenda for September 2, 2024**

Next Directors' Meeting – September 9, 2 p.m.

City Correspondence

Jennifer T. McDonald	Administrative Approvals
Chris A. Sison	City Council Action 8/26/24
Soulinnee Phan	Synopsis for Monday August 26, 2024 Council Meeting

Constituent Correspondence

James Bunch	Tone Deaf
Megan Burke	Lincoln airport tax
David Dunning	Opposing Airport Levy
Brenda Chambers	Claim for Concrete Damage

The Directors' Meeting Agendas and Minutes may be accessed at:
<https://www.lincoln.ne.gov/City/City-Council/Directors-Minutes-Agendas>

From: [Jennifer T. McDonald](#)
Subject: Administrative Approvals
Date: Tuesday, August 27, 2024 1:16:52 PM

There were no City Administrative Approvals from August 20th through August 26th, 2024.

Thank you!



Jennifer McDonald

Administrative Aide II | Administration

Lincoln-Lancaster County Planning Department
Office: 402-441-6365 | Fax: 402-441-6377

555 S 10th St, Ste 213
Lincoln, NE 68508

lincoln.ne.gov/Planning

From: [Chris A. Sison](#)
To: [KOLN/KGIN](#); [Abby M. Eccher](#); [Aishah S. Witte](#); [Angela Quinn](#); [Barb D. McIntyre](#); [City Clerk All](#); [Brenda J. Thomas](#); [Chad E. Blahak](#); [Cheri L. Howard](#); [Chris J. Connolly](#); [Chris S. Jones](#); [Claire Y. Oglesby](#); [Cynthia J. Roth](#); [Daley C. ElDorado](#); [David R. Cary](#); [David T. Engler](#); [Donna K. Garden](#); [Elizabeth D. Elliott](#); [Geri K. Rorabaugh](#); [Hallie E. Salem](#); [Holly L. Lewis](#); [Jamie Phillips](#); [Jenni R. Ryan](#); [Jennifer L. Mommens](#); [Jennifer T. McDonald](#); [Jessica Loos](#); [Jocelyn W. Golden](#); [Jon D. Carlson](#); [Karen Eurich](#); [Kasey L. Simonson](#); [Kerry L. Kernen](#); [Kristi K. Nydahl](#); [Kristi L. Merfeld](#); [Lin Ouenzer](#); [Maggie J. Stuckey-Ross](#); [Marcia L. Huenink](#); [Mary E. Lowe](#); [Mayor](#); [Melissa M. Ramos-Lampli](#); [Michele M. Abendroth](#); [Michon Morrow](#); [Nicole K. Gross](#); [Pat D. Lopez](#); [Peter A. Kroll](#); [Peter D. Hind](#); [Philip L. Dush](#); [Randall S. Jones](#); [Rhonda M. Haas](#); [Ron L. Cane](#); [Ryan S. Wieber](#); [Sara J. Hoyle](#); [Sara Slama](#); [Scott Parker](#); [Sharon R. Mulder](#); [Shelli K. Reid](#); [Sherry Wolf](#); [ssahling@les.com](#); [Shana Sprackling](#); [T.J. McDowell, Jr.](#); [Tammy B. Wissing](#); [Thomas A Schaffer](#); [Tim L. Byrne](#); [Justin P. Carlson](#); [Benjamin A. Sobel](#); [Steve D. Hubka](#)
Subject: City Council Action 8/26/24
Date: Tuesday, August 27, 2024 11:35:26 AM
Attachments: [Action082624.docx](#)
[Action082624.pdf](#)

Good Morning All,

Please see the attached for the action from the City Council meeting of 8/26/24.

Have a wonderful day!



Chris Sison
Office Specialist | City Clerk

City of Lincoln | Office of the City Clerk
Office: 402-441-4699 | Fax: 402-441-8325

555 S 10th St, Rm 103
Lincoln, NE 68508
lincoln.ne.gov/Clerk

**ACTION FROM THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 26, 2024 AT 5:30 PM**

ALL MEMBERS PRESENT

**DUE TO THE LABOR DAY HOLIDAY,
CITY COUNCIL WILL NOT MEET ON SEPTEMBER 2, 2024.**

PUBLIC HEARING - CONSENT AGENDA

Anyone wishing to address an item on the Consent Agenda may do so at this time.

1. REPORTS OF CITY OFFICERS

- 1.a.** 24R-366
Reappointing Ken Fougeron and Heather Seeba to the Procurement Appeals Board for terms to expire September 1, 2027. **(ADOPTED, 7-0; A-94735)**
- 1.b.** 24R-367
Reappointing John Whitmer to the Electrical Advisory, Appeals, and Examining Board for a term to expire August 15, 2027. **(ADOPTED, 7-0; A-94736)**
- 1.c.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on August 12, 2024. **(PLACED ON FILE)**
- 1.d.** Lincoln Electric System Financial and Operating Statement for July 2024. **(PLACED ON FILE)**

2. PETITIONS & COMMUNICATIONS

- 2.a.** 24R-381
Setting the hearing date of Monday, September 9, 2024 at 3:00 p.m. on the Application of The Sitch, LLC dba The Sitch for a Class I Liquor License located at 1140 O Street. **(ADOPTED, 7-0; A-94737)**
- 2.b.** **PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:**
Administrative Amendment #24041 to Preliminary Plat #23060 for Advantage Trucking Addition, was approved by the Planning Director on August 8, 2024, to revise the minimum opening elevations, generally located at SW 44th and West O Streets.

3. MISCELLANEOUS REFERRALS – NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a. 24R-375
Application of Charging Station Coffee, LLC dba The Charging Station for a Class C Liquor License located at 6128 Havelock Avenue. **(ADOPTED FOR DENIAL, 7-0; A-94738)**
- 4.b. 24R-376
Manager Application of Alec Calzada for Charging Station Coffee, LLC dba The Charging Station located at 6128 Havelock Avenue. **(ADOPTED FOR DENIAL, 7-0; A-94739)**
- 4.c. 24R-377
Manager Application of Dakota B. Classon for Littleton East, LLC dba Watering Hole East located at 8300 Northwoods Drive. **(ADOPTED FOR APPROVAL, 7-0; A-94740)**
- 4.d. 24R-378
Application of McKenny's Pub, LLC dba McKinney's Irish Pub for special designated licenses to cover an outdoor area measuring approximately 25 feet by 100 feet at 151 N 8th Street on September 7 & 14, 2024 from 12:00 p.m. to 11:00 p.m., October 5, 2024 from 12:00 p.m. to 11:00 p.m., and November 2 & 23, 2024 from 12:00 p.m. to 11:00 p.m. **(ADOPTED FOR APPROVAL, 7-0; A-94741)**
- 4.e. 24R-379
Application of Kinkaider Brewing Co., LLC dba Kinkaider Brewing Co. for a special designated license to cover an outdoor area measuring approximately 160 feet by 42 feet at 201 North 7th Street on September 20, 2024 from 7:00 a.m. to 2:00 a.m. **(ADOPTED FOR APPROVAL, 7-0; A-94742)**
- 4.f. 24R-380
Application of Kinkaider Brewing Co., LLC dba Bierhaus Maisschaler for a special designated license to cover an outdoor area measuring approximately 357 feet by 75 feet at 151 N 8th Street on September 28, 2024 from 10:00 a.m. to 12:00 a.m. **(ADOPTED FOR APPROVAL, 7-0; A-94743)**

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a. 24R-368
Accepting and approving the report of new and pending claims against the City for August 1 through August 15, 2024. **(ADOPTED, 7-0; A-94744)**

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEM 6.a. HAD 2ND READING)

- 6.a.** 24-105
Text Amendment 24011 - Request of DaNay Kalkowski for an amendment to Lincoln Municipal Code Section 27.59.060 Permit Required; Procedure; Certifications; Exception to expand the ability to obtain blanket height permits on areas within the Airport Hazard Area that have an elevation of more than 100 feet but not more than 115 feet above the elevation on the nearest existing or proposed runway end in residential areas and to remove the requirement for post-construction certification for single family and two family homes within the blanket height permit area, provided certain conditions are met.

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 24-104
Correcting the legal description of the area to be annexed by repealing and replacing Ordinance No. 21642 as previously adopted. **(PASSED, 7-0; 21650)**

8. RESOLUTIONS - ACTION ONLY

- 8.a.** 24R-352
Approving a tax levy request from Lincoln Airport Authority. **(8/19/24 - Action delayed one week to 8/26/24) (VERBAL MOTION TO DIVIDE THE QUESTION, 3-4; MTA #1, 7-0; ADOPTED AS AMENDED, 7-0; A-94745)**

9. BUDGET RESOLUTIONS & ORDINANCES - ACTION ONLY

- 9.a.** 24R-342
Adopting the 2024-26 City of Lincoln Operating Budget & Capital Improvement Program (CIP); One- and Six-Year Street and Highway Program. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (Request to remove from pending to clarify that the comment period for the One and Six Year Street and Highway Program is extended until 8/22/24 and that the One and Six Year Streets and Highway program CIP for fiscal years 2024 through 2030 reflects an average annual expenditure of \$34.4 million dollars) (8/12/24 - Verbal Motion to remove from Pending List for clarification; verbal motion to place back on Pending List Date Certain for Action only to 8/26/24.) (MTA #1 TO ACCEPT SUBSTITUTE RESOLUTION, ADOPTED, 7-0; ADOPTED AS AMENDED, 7-0; A-94746)**

- 9.b. 24R-325
Miscellaneous 24005 - Application of the City of Lincoln Planning Department Planning Director to adopt the proposed Fee Schedules for Application Reviews under Chapter 14.20, Title 26, and Title 27 of the Lincoln Municipal Code for FY 2024-2025 and FY 2025-2026 with an effective date of October 1, 2024. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 6-1; A-94747)**
- 9.c. 24R-326
Approving the updated fees scheduled for ambulance services during FY2024-2025. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94748)**
- 9.d. 24R-327
Approving the updated permit fees under LMC Chapter 5.41 Salvage, Recycling and Composting Operations, including salvage; recycling processing center; recycling center; consumer recyclables collection site; and commercial composting operations. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94749)**
- 9.e. 24R-328
Approving the updated fees for opening burning permits under LMC Chapter 8.06 Air Pollution. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94750)**
- 9.f. 24R-329
Approving the updated fees under LMC Chapter 8.08 Body Art Establishments, including body art establishment permits; body art practitioner permits; and permit reinstatement. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94751)**
- 9.g. 24R-330
Approving updated fees under LMC Chapter 8.20 Food Code, including food establishments; mobile food units; food catering services; temporary food establishments; reinstatement fees; and food handler and food manager permit fees. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94752)**
- 9.h. 24R-331
Approving updated noise variance fees under LMC Chapter 8.24 Noise Control. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94753)**

- 9.i. 24R-332
Approving updated fees under LMC Chapter 8.32 Solid Wastes, including special waste permit fees. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94754)**
- 9.j. 24R-333
Approving updated fees under LMC Chapter 8.44 Water Wells, including water well construction permits; annual water well permits; water well repair permits; and variance applications. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 6-1; A-94755)**
- 9.k. 24R-334
Approving updated fees under LMC Chapter 8.38 Public Swimming Pools; including swimming pool permits; new permit/plan review; renewal; additional spa; swimming pool operator; and pool water quality tester certificate. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94756)**
- 9.l. 24R-335
Approving updated fees under LMC Chapter 24.38 Onsite Wastewater Treatment Systems, including construction and repair of onsite wastewater treatment systems; cleaner permits; installer permits; and development area reviews. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94757)**
- 9.m. 24R-336
Approving updated permit fees under LMC Chapter 24.42 Regulation of Property Transfers with Onsite Systems, including review of property transfers with onsite wastewater or water systems. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94758)**
- 9.n. 24R-337
Approving updated permit fees under LMC Chapter 28.02 Regulations for Illicit Discharges. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94759)**
- 9.o. 24R-338
Amending Lincoln-Lancaster County Air Pollution Control Regulations and Standards, Article 1, Section 6 Fees to update fees for required services to business and industry. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94760)**

- 9.p. 24R-339
Establishing a new rate schedule for the Lincoln Water System for purposes of covering operational and maintenance costs including debt service and Capital Improvements Program for FY 2024-2025 and FY 2025-2026. Proposed Resolution to Increase Water Use Charges. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 6-1; A-94761)**
- 9.q. 24R-340
Establishing a new rate schedule for the Lincoln Wastewater System for purposes of covering operational and maintenance costs including debt service and Capital Improvements Program for FY 2024-2025 and FY 2025-2026. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 6-1; A-94762)**
- 9.r. 24R-341
Establishing a new rate schedule for the Lincoln Solid Waste System for purposes of covering operational and maintenance costs including debt services and Capital Improvement Program for FY 2024-2025 and FY 2025-2026. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94763)**
- 9.s. 24R-343
A resolution to increase restricted funds authority by 1% per Neb. Rev. Stat. §13-519. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (ADOPTED, 7-0; A-94764)**
- 9.t. 24-97
Amending Chapter 5.56 of the Lincoln Municipal Code relating to Emergency Alarm Systems by amending Section 5.56.030 Permit; Alarm User to revise processing fees and renewal fees for commercial and residential permits. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (PASSED, 7-0; 21651)**
- 9.u. 24-98
Amending Section 8.32.150 of the Lincoln Municipal Code to provide for an occupation tax on refuse haulers. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (PASSED, 7-0; 21652)**
- 9.v. 24-99
Authorizing the issuance of 2024 Municipal Improvements Bonds in an amount not to exceed \$ 12,200,000. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (MTA#1, ADOPTED, 6-1; PASSED AS AMENDED, 6-1; 21653)**

- 9.w.** 24-100
Approving the transfer of unspent and unencumbered appropriations between certain Capital Improvement Projects. **(Public Hearing on 8/5/24; Request to Delay Action to 8/26/24.) (8/5/24 - Verbal Motion to Delay Action three weeks to 8/26/24) (PASSED, 7-0; 21654)**

10. RESOLUTIONS - 1ST READING (ITEMS 10.a. THROUGH 10.c. HAD 1ST READING)

- 10.a.** 24R-370
Approving a Professional Services Agreement Supplement No. 2 for preliminary engineering services between the City of Lincoln and WSP USA, Inc., for A Street between 40th and 56th Streets Rehabilitation Project.

- 10.b.** 24R-371
Approving a Professional Services Agreement Supplement No. 1 for environmental services between the City of Lincoln and WSP USA, Inc., for A Street between 40th and 56th Streets Rehabilitation Project.

- 10.c.** 24R-372
Approving the Interlocal Agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department, and Lancaster County School District 001, commonly known as Lincoln Public Schools to facilitate recognition of opioid overdose and emergency administration of intranasal naloxone (NARCAN).

11. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 11.a. THROUGH 11.d. HAD 1ST READING)

- 11.a.** 24-106
Amending Lincoln Municipal Code Section 3.24.080 Telecommunication Occupation Tax by amending the applicable tax rate from 6% to 4% pursuant to state law.

- 11.b.** 24R-373
Approving the N. 26th & U Street Redevelopment Agreement between the City and Maureen Development, LLC., relating to the redevelopment of property generally located at 2517, 2521, 2525, and 2529 Vine Street, and 2540, 2546, 2552, and 2558 U Street. **(Related Items: 24R-373, 24R-374, 24-107)**

- 11.c.** 24R-374
Amending the FY 23/34 CIP to authorize and appropriate \$357,706 in Tax Increment Financing (TIF) for the N. 26th & U Redevelopment Project. **(Related Items: 24R-373, 24R-374, 24-107)**

- 11.d.** 24-107
Authorizing the issuance of Tax Allocation Bonds for the N. 26th & U Street
Redevelopment Project. **(Related Items: 24R-373, 24R-374, 24-107)**

12. PENDING LIST (EXTENDED FOR ONE WEEK)

- 12.a.** 24R-18
Comprehensive Plan Conformance 23019 - Application of the Urban
Development Department to review as to conformance with the 2050 Lincoln-
Lancaster County Comprehensive Plan, and to adopt the "NW 48th & W Vine
Redevelopment Plan", including the "Falcon Corner Redevelopment Project," for
the construction of a large retail building and associated commercial uses, on
property generally located at NW 48th Street and Interstate 80. (1/22/24 – Action
delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No
Date Certain)
- 12.b.** 24R-35
Approving the Falcon Corner Project Redevelopment Agreement between the
City and FFF, LLC., relating to the redevelopment of the property generally
located in the northeast corner of NW 48th Street and Interstate 80. **(Related
Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to
Pending List - No Date Certain)**
- 12.c.** 24R-36
Amending the FY 2023-2024 CIP to authorize and appropriate \$4,290,090.00 in
TIF funds for the Falcon Corner Redevelopment Project. **(Related Items: 24R-
35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List -
No Date Certain)**
- 12.d.** 24-10
Authorizing the issuance of Tax Allocation Bonds for the Falcon Corner
Redevelopment Project in an amount not to exceed \$4,290,090.00. **(Related
Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to
Pending List - No Date Certain)**
- 12.e.** 23R-638
Comprehensive Plan Amendment 23005- Application of FFF, LLC to amend the
Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land
Use Map by changing the designation from Industrial Use to Commercial Use, on
property generally located at the northeast corner of NW 48th Street and Interstate
80. **(Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24)
(1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to
1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date
Certain)**

- 12.f.** 23-158
Annexation 23005- Application of FFF, LLC., to annex approximately 52 acres, more or less, on the property generally located at the northeast corner of NW 48th Street and Interstate 80. **(Related Items: 23R-638, 23-158, 23R-639, 23-159) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)**
- 12.g.** 23R-639
Approving the Conditional Annexation and Change of Zone Agreement between the City, FFF, LLC., and Helen Belle Kitzel Farms, LLC., for property generally located near NW 48th Street and Interstate 80. **(Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)**
- 12.h.** 23-159
Change of Zone 23019 - Application of FFF, LLC., to change the zoning designation of 15 acres more or less, from AG Agricultural District to H-4 Highway Commercial District, on property generally located at the northeast corner of NW 48th Street and Interstate 80. **(Related Items: 23R-638, 23-158, 23R-639, 23-159) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)**

PUBLIC COMMENT

Anyone wishing to address the council on a matter not on this agenda, and not planned to appear on a future agenda, may do so at the open microphone session. Individuals are allowed a total of 5 minutes to speak regardless of the number of topics. For the month of August, open microphone sessions will be held on August 12 & 26, 2024.

ADJOURNMENT – 6:58 P.M.

The Lincoln City Council meets every Monday at 3 p.m. except for the last Monday of the month which begins at 5:30 p.m. All City Council meetings are aired live on LNKTVCity and re-aired later. For a schedule, visit lincoln.ne.gov (keyword: LNKTVCity). LNKTVCity can be found on all three cable television systems: ALLOChannel 2; Spectrum Channel 1300; Kinetic Channel 1005. Meetings are also streamed live at lincoln.ne.gov(keyword: LNKTVCity) and available later at youtube.com/LNKTVCity.

LNKTVCity, the City government access group of channels, is now available on Apple TV. The free apps allow people without cable and those living outside of Lincoln to view livestreamed and archived LNKTVCity, Health, and Education programs. Residents with Apple TV devices will find LNKTVCity in the channel guide or app store.

The City Council Agenda and Action Sheet may be accessed on the Internet at: lincoln.ne.gov

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511 as soon as possible before the scheduled meeting date in order to make your request.

From: [Soulinnee Phan](#)
To: [Sandra J. Washington](#); [Justin P. Carlson](#); [Bennie R. Shobe](#); [Tom J. Beckius](#); [James M. Bowers](#); [Tom Duden](#); [Brodey B. Weber](#)
Cc: [Benjamin A. Sobel](#); [Yohance L. Christie](#); [Jon D. Carlson](#); [Sherry Wolf](#); [Steve D. Hubka](#); [Jennifer L. Mommens](#); [Kasey L. Simonson](#); [City Clerk All](#); [Beau A. Wolfe](#); [Melissa M. Fuller](#); [Austin M. Oltmans](#)
Subject: Synopsis for Monday August 26, 2024 Council Meeting
Date: Monday, August 26, 2024 4:13:23 PM
Attachments: [CCM Synopsis082624.pdf](#)
[24R-352 MTA No. 1.pdf](#)
[24R-342 MTA No. 1.pdf](#)
[24-99 MTA No. 1.pdf](#)
Importance: High

Good afternoon everyone –

Please refer to the attached documents for your synopsis and Motions to Amend for Monday's Council Meeting of August 26, 2024.

Have a great rest of the day and we'll see you this evening!



LINCOLN

Soulinnee Phan

City Clerk

City of Lincoln | Office of the City Clerk
Office: 402-441-7437 | Fax: 402-441-8325

555 S 10th St, Rm 103
Lincoln, NE 68508
lincoln.ne.gov/Clerk

From: [Brenda Chambers](#)
To: [Council Packet](#)
Subject: Claim for Concrete Damage
Date: Monday, August 26, 2024 10:09:41 AM
Attachments: [Water Damage 4.pdf](#)

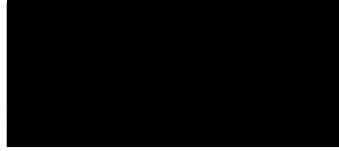
Good morning. I have attached several documents regarding my request to get reimbursed for the approach on our driveway that cracked and was sinking due to work outside our driveway by the City.

Lily Easley with the City Attorney has requested that this claim be denied, but she failed to respond to my last two letters that disputed her recommendation. Unfortunately, I was unable to confirm the actual dates of the work performed by the city because no one would call me back.

I am respectfully requesting an appeal of this claim. Thank you for your time and consideration.

Brenda Chambers

Brenda K. Chambers



August 13, 2024

Ms. Lily Ealey
Assistant City Attorney
555 South 10th Street Suite 300
Lincoln, NE 68508

RE: Claim for Driveway Damage

Dear Ms. Ealey:

In response to your letter dated August 7, 2024 denying our claim for the concrete damage to our driveway, I am disappointed in your recommendation, but there are a couple things I would like to clarify in your letter:

1. There was never an issue with the stop box. The issue was with the cracks and the sinking slab around the stop box in the approach of our driveway after the work was performed in the circle. I have lived in this house over 30 years and have never had an issue with the concrete, until this work was performed.

2. As far as having one year from the date of the occurrence to file a claim, there was never an issue when the work was completed in the spring. The issue appeared after several months when the cracks started in the concrete. When the slab started to sink around the stop box in September, 2023, that is when I notified the Water Department repeatedly.

3. If everything was prepped and installed correctly, why is the repair directly outside our driveway sinking and pooling water? Please see the attached pictures.

I respectfully request that you reconsider this claim.

Sincerely,

A handwritten signature in blue ink that reads "Brenda K. Chambers".

Brenda K. Chambers

Attachments



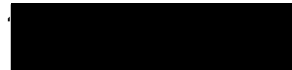




LINCOLN

August 7, 2024

Brenda Chambers



RE: Claim Against the City of Lincoln

Dear Ms. Chambers:

This is in response to your claim against the City of Lincoln which was received in this office via email on June 5, 2024, requesting replacement of your driveway and sidewalk at your residence. It is this office's responsibility to investigate claims that are filed against the City of Lincoln and make a recommendation to the Lincoln City Council.

In order for a claim to be authorized for payment from public funds, it must be shown that there exists evidence of some failure of duty owed to you. Taxpayer funds are used to pay claims of this type, and therefore this office can only recommend to the City Council payment of claims in which there exists a legal basis for authorization.

I have investigated your claim with Lincoln Transportation and Utilities personnel and can find no evidence that the condition of your driveway and sidewalk as described in your claim is related to any work performed by City of Lincoln Water or Wastewater. The water stop box that is mentioned in your claim is your private water service valve. Lincoln Municipal Code Section 17.18.110 requires the owner of the premises to maintain the water service and supply as well as all connections thereto. In addition, the statute of limitations on filing a tort claim is one year from the date of the occurrence. The timeline outlined in your letter indicates that the filing of your claim is well past the one-year statute of limitations. Therefore, your claim will be forwarded to the Lincoln City Council with a recommendation that the claim be denied.

The Lincoln City Council will consider your claim at its regularly scheduled meeting on August 26, 2024, at 5:30 p.m. in the Council Chambers, 555 South 10th Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at council@lincoln.ne.gov. **If you do intend to appear at the City Council meeting in person, please advise this office prior to Friday, August 23, 2024, by phone at 402-441-7281.**

Sincerely,

Lily L. Ealey
Assistant City Attorney

Brenda K. Chambers



August 7, 2024

Ms. Lily Ealey, Assistant City Attorney
555 S. 10th St., Ste. 300
Lincoln, NE 68508

RE: Claim Against the City of Lincoln

Dear Ms. Ealey,

Thank you for taking the time to talk with me over the phone on August 6th. I apologize that the date of the repair may have been incorrect, but that is the date that Andy with the water department gave me on October 9, 2023. I have tried several times in the last couple weeks to reach out to Andy with the water department to confirm the date, but he has yet to return my call and no one else in that department can tell me the actual dates of the repair.

Per our conversation, I have attached another picture that will show where the work was done in relation to our driveway for your review. If the initial damage would only have been small cracks, we could have lived with those cracks; however, since the slab started to sink, that is when the problem became urgent to get the driveway replaced.

Thank you for your consideration in this matter regarding our claim for reimbursement of the driveway that was damaged.

Sincerely,

A handwritten signature in blue ink that reads "Brenda K. Chambers".

Brenda K. Chambers

Attachments



Repair

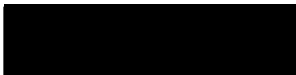
4711 Southhaven Circle



LINCOLN

July 16, 2024

Brenda Chambers



RE: Claim Against the City of Lincoln

Dear Ms. Chambers:

This is in response to your claim against the City of Lincoln which was received in this office on June 10, 2024, requesting replacement of your driveway and sidewalk at your residence.

This office is charged with the responsibility of investigating claims against the City of Lincoln. I have reviewed your claim with Lincoln Wastewater personnel. There is no record of repair work being done in April 2022 as referenced in your claim. If you have additional information, please provide that information to this office within thirty (30) days. Failure to submit additional information within 30 days may result in this office recommending denial of the subject claim.

If you would like to discuss this matter, please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink that reads "Lily L. Ealey".

Lily L. Ealey
Assistant City Attorney

Brenda K. Chambers
4711 Southaven Cir
Lincoln, NE 68516
(402) 499-2052
bkstauffer@yahoo.com

June 4, 2024

City Attorney's Office (Previously E-mailed)
555 S. 10th Street Room 300
Lincoln, NE 68508

RE: Claim for Driveway Repair

To Whom It May Concern:

I sent the attached letter to the Water and Wastewater Department for a claim resulting from the driveway replacement at our residence in December. I was going to follow up yesterday on this letter. Unfortunately, I realized that I was given misinformation as far as the correct department regarding this claim.

I am resubmitting this claim for the replacement of the driveway and sidewalk that was caused from the repair to the water and/or sewer main outside our residence. Please see the attached letter dated December 27, 2023 for the information regarding this claim. The original copies of this letter were mailed to the Water and Wastewater Department, so the copies may be harder to read. Please feel free to contact me with questions.

Thank you for your attention to this matter.

Sincerely,



Brenda K. Chambers

Attachment

cc: City Clerk's Office

Brenda K. Chambers
4711 Southhaven Circle
Lincoln, NE 68516
(402) 499-2052

December 27, 2023

City of Lincoln
Water and Wastewater Department
555 S 10th St, Ste 203
Lincoln, NE, 68508

To Whom It May Concern:

In April, 2022, the sewer and/or water main in front of our house was repaired and/or replaced. After several months, I noticed that we started to get small cracks in the approach of our driveway.

I called the Wastewater Management office in the spring of 2023 a couple times, but never received a call back. As summer approached, the cracks got bigger and the slab started to fall. The water stop box was now 1-½" above the slab and my fear was that it would ruin our snowblower if we hit the water stop box or we would break a wrist if we hit it with the shovel.

Since I had no response from the Wastewater Management office, I called the Water Department on the following days:

- 9-25-23 - Talked to Holly who was going to have someone call me, but no one ever did.
- 10-9-23 – Talked to Kimberly, who transferred me to Holly in the Service Center. Holly talked to Project Manager, Andy, and I spoke to him. He was going to have someone take a look at the driveway, but no one showed up.
- 10-20-23 – Talked to Amanda and she was going to e-mail the PM's because they had already left for the day. She said they would receive the e-mail first thing Monday morning and someone would get back to me right away, but no one did.
- A crew from the Waste Management department came out to open the manhole and I assume do some type of maintenance. I was ecstatic because I thought someone was finally sent out to take a look at the cracks. When I talked to them and explained my situation, they said it wasn't their fault, but to call the Water Department because the water stop box was above the slab. They said I would need to call a licensed plumber to repair the water stop box.
- I called a licensed plumber and he said he wouldn't be able to repair the water stop box for less than \$5,000. It would cost at least \$3,500 to get the equipment to our house. He suggested that we call someone to see if they could raise the slab instead of repairing/replacing the stop box.
- 10-27-23 – Talked to Kimberly and she was going to transfer me to Holly, but no one was available, so she gave me the direct phone number for the customer service so I could call them direct. I explained to her that I would like someone to come take a look at the driveway because the

cracks and the slab falling was not our fault. I have lived at this location since 1990 and never had an issue with cracks until work was done right outside our driveway.

- After a couple weeks, someone from the Water Department finally came to look at the cracks in the approach and as I suspected, he claimed it wasn't the water department's fault, but to call the wastewater department. To say I am beyond frustrated is an understatement.

Since we could possibly have snow at any time and the window for pouring concrete was rapidly closing, I called a couple of concrete contractors in the Lincoln area to get an estimate of how much it would cost to either raise the slab or replace the concrete. Thrasher came to the house and gave us an estimate of \$1,500 to raise that small slab. Then I called Concrete Doctor and he said they could raise the slab, but it would only be a band-aid because the slab would continue to sink. In his opinion, the dirt wasn't tamped around the water main, which caused the slab to shift and sink. He gave us an estimate of \$2,000 to replace the concrete in the approach and the portion of sidewalk that was also sinking. We went ahead and replaced the concrete so it would cure prior to having snow.

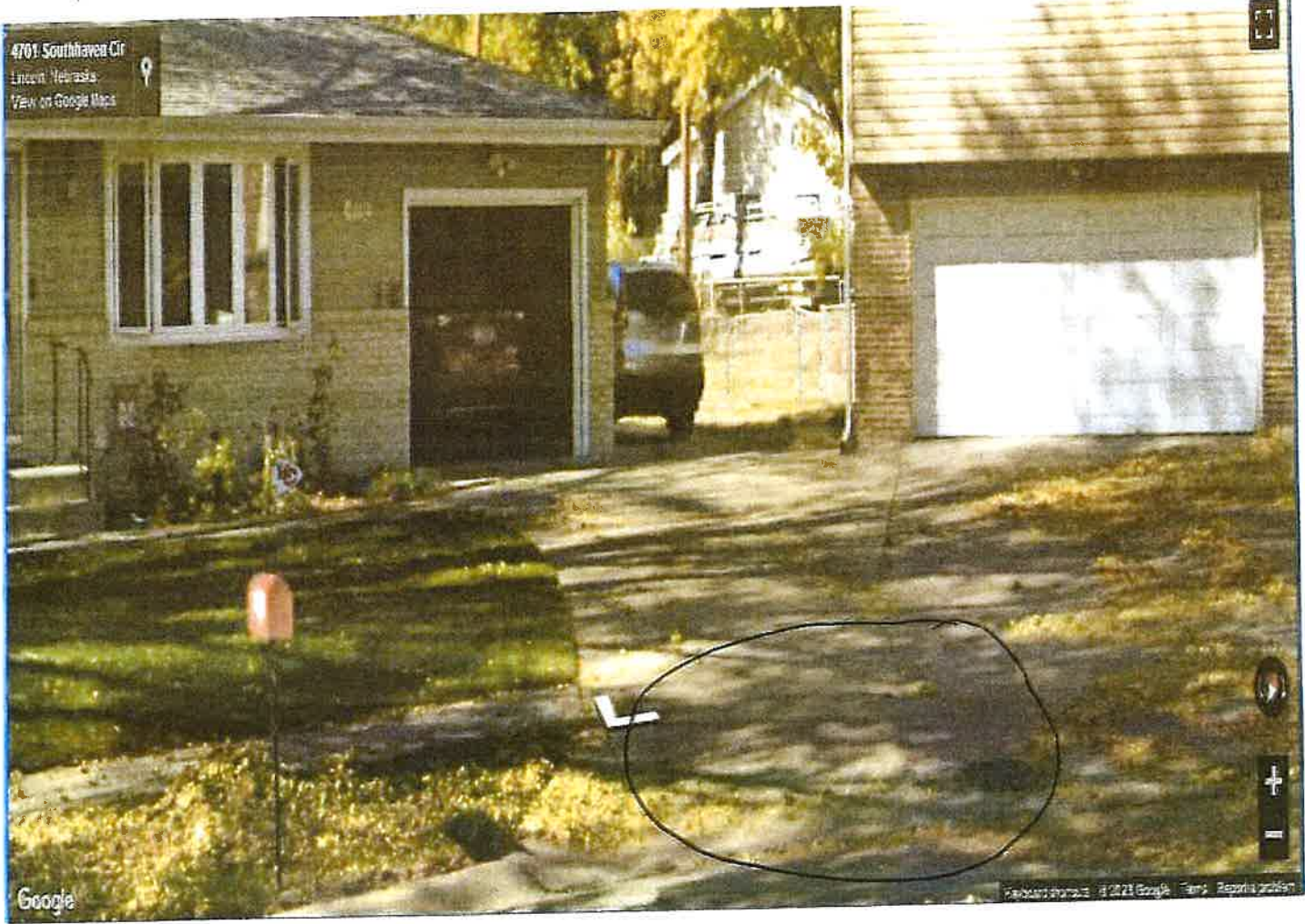
I have enclosed pictures of the damaged driveway, as well as the estimate from Concrete Doctor. I would respectfully like to submit a claim to have the cost of the concrete paid.

Sincerely,



Brenda K. Chambers

Enclosures



CONCRETE RAISING AND REPLACEMENT EXPERTS
RESIDENTIAL / COMMERCIAL / MUNICIPAL
AREA'S MOST EXPERIENCED!

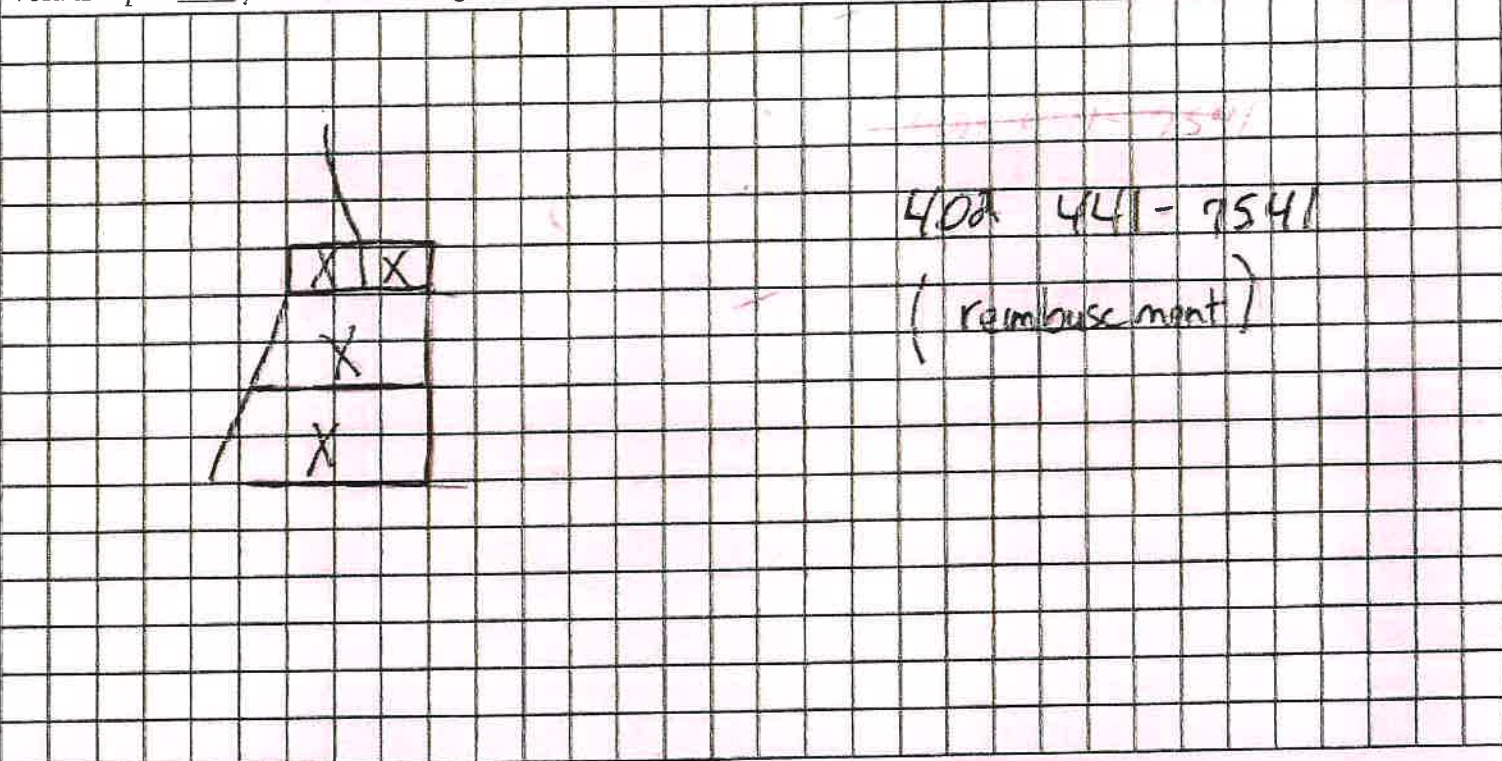
Lincoln: 402-314-8609
 19215 S 96th St. Hickman, NE 68372
 Email: concretedoctorinc@gmail.com
 Online: www.mudjackinglincolnne.com



NAME Al + Brenda Chamber
 ADDRESS 4711 South Haven Cir
 CITY Lincoln STATE NE ZIP _____
 PHONE 402-450-4936
 EMAIL _____

HOSE NEEDED _____ DATE 11-2-23
 Replace approach noted by ts
 Total \$2,000⁰⁰

Void fill up to _____ yards. If void is larger than anticipated, and more grout is needed, price will be \$ _____ per yard added to total.



TERMS: PAYMENT UPON COMPLETION.

Workmen's Compensation & Public Liability insurance on above work to be taken out by Concrete Doctor Inc. Concrete Doctor Inc. is not responsible for damage to plumbing or electrical, cracks in floors or walls, or any damage which has occurred or might occur as a result of the mud jacking process.

Unmatched Guarantee! 10 year guarantee on all concrete. Concrete Doctor Inc. will come back upon request if necessary, to rejack the areas mudjacked if they settle more than a 1/4". A material charge will apply at \$75.00 per 1/4 yard of material used to re-pump the original slab mudjacked. This guarantee does not include patches applied to or between the slabs. This guarantee is void if the customer does not caulk (within 30 days of completion) all cracks, joints, gaps on the slabs involved. Or maintain backfill along the slabs involved. If additional slabs need raising, additional charges will apply. If concrete needs replacing in lieu of mud jacking, it is homeowners responsibility. No refunds will be issued. This guarantee is void if resettling occurs as a result of flooding or any other acts of nature.

Respectfully submitted by: _____

ACCEPTANCE OF PROPOSAL

All discounts & guarantees contained herein are void if bill is not paid within 10 days of completion. I understand that failure to pay as and when required by this contract, will be void and I will pay all cost of collection including reasonable attorney's fees and court costs, and 1.5% interest after 30 days. Specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Date 11/2/23
 Signature Brenda Chamber





CONCRETE DOCTOR INC.

19215 S 96th St.
Hickman, NE 68372

Serving Lincoln Area!
Area's Most Experienced!

402-314-8609

CONCRETE RAISING AND REPLACEMENT EXPERTS
Residential / Commercial / Municipal

concretedoctorinc@gmail.com • mudjackinglincolnne.com

f Like us on Facebook		DATE 11-21-22
NAME Al + Brenda		
ADDRESS 4011 S 96th St - Hickman		
CITY, STATE, ZIP Hickman, NE 68372		
JOB DESCRIPTION	JOB COST	
RAISED OR REPLACED DRIVEWAY	2,000.00	
RAISED OR REPLACED WALKWAY		
RAISED OR REPLACED STEP(S)		
RAISED OR REPLACED PATIO		
VOID FILLED/STABILIZED DRIVEWAY		
VOID FILLED/STABILIZED WALKWAY		
VOID FILLED/STABILIZED _____ STEP(S)		
VOID FILLED/STABILIZED PATIO		
OTHER		
		Total 2,000.00
PAYMENT DUE UPON COMPLETION		

*Customers must seal all cracks and joints and maintain backfill along the slabs involved within 30 days of completion to uphold warranty.



WE THANK YOU FOR YOUR BUSINESS!

Accepted at 3%

From: [OpenForms](#)
To: [Benjamin A. Sobel](#)
Subject: Council Comment - David Dunning
Date: Monday, August 26, 2024 11:38:52 AM
Attachments: [SubmissionReceipt-SubmitAComment-71.pdf](#)



Council Comment - David Dunning

David Dunning has submitted a comment for Council. Please see the attached comment

Name	David Dunning
Phone number	[REDACTED]
Email address	[REDACTED]
Your comment	Please do not approve an increased tax to support the Lincoln airport. Property taxes are already way too way, and increases are being added frequently through bonds, valuations and other assessments. Thank you.

From: [megan burke](#)
To: [Council Packet](#)
Subject: Lincoln airport tax
Date: Wednesday, August 28, 2024 3:21:18 PM

You have got to be kidding me! The airport board makes bad decisions and Lincoln residents pay for it? United is the only airline there and after the trip I returned 2 DAYS late because of United, I will never ever ever fly united. Get a decent airline in and we can talk but as it stands Lincoln City council (a paid position) is screwing over Lincoln residents. Which come to think of it, isn't surprising. I am working multiple jobs to live in this city because of taxes.

I challenge each of you to use "mass transit" for a month. I certainly can't get anywhere in this city reasonably.

Dog licenses---some of the highest in the country.

Road taxes...for pot hole ridden roads, with some of the worst snowplowed roads I have ever seen.

Take a good look at what you are charging the residents of this city. I have to live within a budget. My boss isn't going to raise my wages because of my list of things I want.

Thoroughly Disgusted Resident,
Megan Burke

From: [James Bunch](#)
To: [Council Packet](#); [James M. Bowers](#)
Subject: Tone Deaf
Date: Wednesday, August 28, 2024 4:10:25 PM

This is what a dysfunctional tone-deaf City of Lincoln department responded with.
Effing bulls**t!

LTU Engineering & Traffic wrote:

Thank you for reaching out and sharing your concerns regarding the new traffic signal at 48th & Cornhusker Hwy.

I want to clarify that the roadway configuration has not changed with the recent signal rebuild. The timing changes that were implemented were necessary adjustments to accommodate the new signal cabinet, but these changes were minor overall.

We understand that the transition to new systems can sometimes feel different, and we appreciate your patience as everyone gets used to the updated signals. The timing and cycling are carefully calibrated to balance traffic flow in all directions, and while it may take some time to fully adapt to the changes, they are designed to improve safety and efficiency in the long run.

If I didn't work in La Vista, I'd be at the next council meeting.

Jim