

## Homeowners ask city for help with property damage

Written by Elizabeth Barrett  
Thursday, 29 August 2013 13:50 -

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### Residents affected by water line break advised to get legal counsel

“See you in court.”

Those were the parting words of Jim Bebensee to the Gothenburg City Council after members didn't act on a request from Bebensee and homeowner Travis Coe for monetary help.

The basements of Bebensee and Travis Coe and their families, and several other homes on Lake Avenue, flooded when a city water line broke and mixed with sewage on July 21.

Several property owners submitted claims to the city's insurance company and received letters stating that the damage would not be covered.

At the council's Aug. 20 meeting, Bebensee asked questions about the number and location of water line breaks, the age of pipes, why homeowners were not notified in a timely manner, city evacuation plans and more.

City attorney Mike Bacon said he and the council couldn't respond to some of the questions because the incident is under investigation by the city's insurance company.

“We have no explanation of what caused the break,” Bacon said. “It's an unfortunate incident.”

Bacon also said shutting down a pressure-filled water main and locating leaks is not easy.

Bebensee noted that sewage leaked into basements three weeks later when mud, from the first incident, was vacuumed from a sewer line along Lake Avenue, from 20th to 11th streets.

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Residents in the area were notified of the problem after it happened, he said.

Bacon said city workers have no precognition of when sewers will back up and where sewage will go.

Bebensee also asked if the council has discussed and/or replaced aging sewer lines.

Bacon said the city has made a multi-million dollar investment in a plan to repair and replace sewer lines that has included the televising of and cleaning out of pipes in the worst areas.

When Bebensee asked if the city had evacuation plans, Bacon said he couldn't answer philosophical questions.

"If you want to chew our backsides, we'll stand here and take it," he said, noting that the city will respond to questions if a lawsuit is filed. "We're sorry for what happened but we can't do much past that."

In a perfect world, Bebensee said there wouldn't be attorneys and the issue could be discussed between parties.

"To get a payment, we have to get an attorney and fight you guys," he said.

Coe said he's still dealing with sand in his sewer line from when the Kearney firm cleaned out sewer pipe.

"My wife, our newborn and I returned from Lincoln after her grandmother's passing to find our

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newly replaced shower and toilet had more sandy sewage backed up in it," he said Monday. "This was very disheartening."

He asked if he had to pay for cleaning out his service line.

Bacon told him to file a claim and noted that the city maintains water and sewer mains but not private service lines to homes.

"The city doesn't work on private property," he said.

After the water main break on July 21, water shot up under street pavement, creating a cavity that filled with water and leaked into a sewer manhole.

Coe asked how close water and sewer infrastructure can be.

Shane Gruber, city services director, said the sewer manhole was 10 to 20 feet away from the water line.

Coe said he's researched grants to help pay for damage.

"It's tough to take when you have a new baby at home," he said, adding that he doesn't have \$7,000 to pay for damages and repairs. "And not being able to do anything about the things lost in the basement...it makes me want to move somewhere with a better sewer system."

"It's really tough."

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Mayor Joyce Hudson said the city's hands are tied. Council president Jeff Kennedy said the council understands and is sorry.

Kennedy said he also appreciated the politeness shown by the Bebensee and Coe when they addressed the council.

On an unrelated matter, but one dealing with an earlier lawsuit brought by homeowners whose basements were damaged by water and sewage in 2010, the council entered into closed session for six minutes.

They took no action upon reconvening.

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