

# MINUTES

## OMAHA PLUMBING BOARD

Regular Meeting – Wednesday, March 13<sup>th</sup>, 2013  
1:30 pm – City/County Building – 1819 Farnam Street  
Jesse Lowe Conference Room – Third Floor

### I. Roll Call

#### Members Present:

Brian A Barrett  
Jeff O. Estabrook, Vice-Chairman  
Brian Feyerherm (present @ 1:36pm)  
David W. Miller, Chairman  
Christopher P. Reed  
Terry Salem  
Amy L. Schaap

#### Members Absent:

**Others Present:** Jim Wonder, City of Omaha Planning Department  
Reid Steinkraus, Douglas County Health Department

Mr. Miller called the meeting to order at 1:32 pm.

### II. \*Examination Reviews

John A Ellis **PRESENT**  
129 Bryan St  
Gretna NE 68028

Chad R Miller **ABSENT**  
11910 N 157<sup>th</sup> St  
Bennington NE 68007

Jacob M Sargent **PRESENT**  
14921 Edna St  
Omaha NE 68138

### III. \*Awards Presentation - William Shadden, Benjamin Lloyd, and Kyle Simon

Mr. Wonder gave out awards to three journeyman applicants who scored 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> in overall test scores for 2012. This year's award recipients were William Shadden, Benjamin Lloyd, and Kyle Simon (not present). The Board congratulated these gentlemen on their achievement.

**IV. Approval of Minutes from February 27<sup>th</sup>, 2013**

Motion by Mr. Estabrook to approve the minutes from the last meeting. Second by Mr. Salem.

AYES: Estabrook, Feyerherm, Miller, Reed, Salem

ABSTAIN: Barrett, Schaap

Motion carried 5-0-2.

**V. \*Approval of Apprenticeship Program(s)**

13-3-42

Anthony Swirczek  
Andersen Plumbing Inc  
849 N 252<sup>nd</sup> St  
Waterloo NE 68069

REQUEST: Renewal of approval of apprenticeship program.

49-244

Anthony Swirczek appeared before the Board. Mr. Miller reviewed the application and stated that all appeared to be in order with the file.

Motion to approve by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap

Motion carried 7-0.

**VI. \*Apprenticeship Agreement(s)**

Christopher Pyle  
31 Redwood Lane  
Omaha NE 68073

Andersen Plumbing Inc  
849 N 252<sup>nd</sup> St  
Waterloo NE 68069

Christopher Pyle appeared before the Board. Mr. Miller reviewed the file and commented that payroll summaries were needed in order to corroborate Mr. Pyle's requested start date of November 26, 2012. Mr. Swirczek stated that he would ask his secretary Barb to send this information to the Board Secretary today.

Motion to approve Christopher Pyle as a registered apprentice with a start date of November 26, 2012, with the stipulation that payroll summaries supporting said start date be provided to the Board Secretary by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

Mark C Brust Jr  
3720 N 60<sup>th</sup> St  
Omaha NE 68104

Ray Martin Company of Omaha  
6201 Center St  
Omaha NE 68106

The Board received a request from Mr. Brust's employer to hold this case over to the next meeting.

Motion to hold this case over to the March 27, 2013 meeting by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

## VII. \*Cases

13-1-5 *From 1/23/13 & 2/13/13*

Robert A Stratbucker  
7125 Country Club Rd  
Omaha NE 68152

REQUEST: Waiver to allow the installation of a private well for multi-family domestic use and irrigation of crops.

Location: 13525 White Deer Lane, 13705 North River Drive and 13607 North River Drive  
49-1510

### **1/23/2013:**

Robert A. Stratbucker, homeowner, appeared before the Board with Dean Christensen, geologist, and Ralph Peppard, attorney. Mr. Stratbucker wishes to dig a new private well at 13525 White Deer Lane in order to provide domestic water service for the three properties listed above. This well will also provide drip irrigation for crops on 16 acres of land which adjoins Dr. Stratbucker's property. Mr. Peppard stated that Dr. Stratbucker currently uses a nearby well, and is one of several homeowners who use this water source. Dr. Stratbucker was recently asked to stop using this water source by his neighbors after concerns about water levels in the well.

Mr. Miller reviewed the file, commenting that the Metropolitan Utilities District did not oppose Dr. Stratbucker's request for the installation of a private well. Mr. Miller asked Mr. Steinkraus for the Health Department's opinion in this matter. Mr. Steinkraus asked Mr. Christensen whether it was his belief that the two aquifers were entirely separate. Mr. Christensen stated that this new water source is separated from the current well by approximately one hundred feet of glacial till, which is known to be impermeable.

Mr. Wonder brought up two concerns regarding the requested waiver. First, he suggested that an independent study be made of this well by a third party in order to determine any effect that the new well would have on the residents still connected to the old well. He also requested that, if the Board were agreeable to grant Dr. Stratbucker's waiver, that they also require the applicant to submit proof of easements and agreements for all those landowners who would be tying in to the new well. Mr. Peppard stated an "equitable easement" is currently in place for the new well as all parties are on cordial terms; however, he would have no issues drawing up more formalized easement documents if the Board would wish him to do so.

After some additional discussion regarding the separation of the two water sources in question, Mr. Reed made a motion to hold this case over to the February 13, 2013 meeting of the Board. The applicant is requested to provide maintenance agreements and easements for the use of the new well in question. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap

Motion carried 7-0.

**2/13/2013:**

No one appeared in support of this case. Mr. Wonder stated that he had spoken with the applicant and requested that this case be held over to the next meeting of the Board.

Motion by Mr. Estabrook to hold this case over to the February 27<sup>th</sup>, 2013 meeting of the Board. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap

Motion carried 7-0.

**2/27/2013:**

No one appeared in support of this request. Mr. Wonder requested that this case be held over to the next meeting of the Board.

Motion by Mr. Estabrook to hold this case over to the March 13<sup>th</sup>, 2013 meeting of the Board. Second by Mr. Reed.

AYES: Estabrook, Miller, Reed, Salem

Motion carried 4-0.

**3/13/2013:**

Ralph Peppard appeared before the Board as legal representative for Robert A. Stratbucker, and as owner of one of the subject properties for this case Mr. Wonder stated that the City Legal Department had received copies of legal documents pertaining to maintenance agreements and easements. Notes from Alan Thelen, City Attorney, stated that the documents were legal enough to be recorded at the Register of Deeds Office.

Mr. Miller asked the Douglas County Health Department whether they had any objections to the requested well. Mr. Steinkraus replied that his department was in support of this waiver, provided that the well is used only for the purposes described on the application, and not for things like swimming pools, ponds, geothermal use and/or water features.

Motion by Mr. Reed to approve requested waiver to allow installation of a private well for the three properties listed above, with the stipulation that water from this well be used only for domestic use and drip irrigation under the terms of the submitted easement and maintenance agreements. This waiver is contingent upon said agreements being filed with the Register of Deeds office; a stamped copy of these agreements must be provided to the Chief Plumbing Inspector. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

13-2-27 From 2/13/2013

Midwest Designs  
Attn: Jeff  
14646 Grover St  
Omaha NE 68144

REQUEST: Waiver of section 49-636 as regards drinking fountain.

Location: 5311 S 138<sup>th</sup> St  
49-636

**2/13/2013:**

No one appeared in support of this case.

Motion to hold this case over to the next meeting of the Board by Mr. Reed. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap

Motion carried 7-0.

**3/13/2013:**

Jeff Hunzecker appeared before the Board. Mr. Wonder stated that the applicant wishes to install an ADA-height drinking fountain and a bubbler fixture on a nearby sink for the non-handicapped.

Motion to approve by Mr. Reed. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

13-3-44

Steve Huber  
Curt Hofer Construction  
2332 Bob Boozer Dr  
Omaha NE 68130

REQUEST: Waiver to allow the installation of a private well for geothermal and domestic use.

Location: 19121 F St  
49-1510

Steve Huber of Curt Hofer Construction appeared before the Board with Doug Kellner of Thompson Dreessen & Dornier Inc. Mr. Miller reviewed the file and commented that the applicant wishes to install well for a geothermal pump-and-dump system and domestic water use. Used water will be returned directly to the aquifer. Mr. Miller stated that Metropolitan Utilities District (MUD) was opposed to the request for a well for domestic water use; citing the fact that there is currently MUD water available at both 192<sup>nd</sup> Street and F Streets. MUD did not oppose the request for a well for geothermal use.

Mr. Miller stated that the Douglas County Health Department was opposed to both requests for geothermal use and domestic water supply, citing the fact that geothermal well systems must be separate from potable drinking water sources. Additionally, this department was opposed to the notion of dumping used water directly into the aquifer. Mr. Wonder stated that the Planning Department opposed both requests, citing the fact that ground water could become contaminated if water from the geothermal system was allowed to be pumped directly back to the aquifer. He added that as MUD water is available, the owner is required to connect to city utilities.

Mr. Huber stated that the property sits on ten acres in an area in which the surrounding neighbors all have wells. He said that his client was initially told by MUD that a well would be acceptable. Mr. Wonder stated that without ordinance requiring land owners to connect to municipal water once available, everyone would try to install wells on their properties in order to save money on water costs. Mr. Miller stated the neighbors with wells in the area most likely sank their wells before MUD water became available in the area.

Motion to deny by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

13-3-45  
Terry Vail  
3403 S 112<sup>th</sup> St  
Omaha NE 68144

REQUEST: Renewal of approval of Instructor(s). Renewal of Approval of CEU Class(es).

49-215

The Board received a request from Mr. Vail to hold this case over to the next meeting.

Motion to hold this case over to the March 27, 2013 meeting by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

13-3-46  
Jeff Estabrook  
Heimes Corp  
9144 S 147<sup>th</sup> St  
Omaha NE 68138

REQUEST: Waiver of section 49-1002 as regards indirect waste from an A/C unit.

Location: 14615 West Maple  
49-1002

Mr. Estabrook recused himself and appeared before the Board. He stated that the project in question is a hair removal salon; equipment used by this business creates a great deal of heat in their two procedure rooms. The applicant wishes to install a wall-mounted air conditioning system in each room; waste from this unit would be piped to the tailpiece on a nearby sink. This A/C unit would be in use intermittently, as temperature in each room demanded. A roof-mounted air conditioning system serves the whole space; the wall-mounted units will only be used to combat the heat put off by the hair removal equipment. Mr. Estabrook stated that opening the wall and installing a p-trap was considered; however, there were concerns that these traps would dry out and would not get serviced. This problem could cause the area to have a foul odor.

After some discussion, Mr. Reed made a motion to approve for this business, tenant and application only. Second by Ms. Schaap.

AYES: Barrett, Feyerherm, Miller Reed, Salem, Schaap

ABSTAIN: Estabrook

Motion carried 6-0-1.

13-3-47  
Chris Reed  
Morrissey Engineering  
4940 N 118<sup>th</sup> St  
Omaha NE 68164

REQUEST: Variance of required grease interceptor in a commercial kitchen

Location: 3619-3623 N 129<sup>th</sup> St  
49-1104

Mr. Reed recused himself and appeared before the Board. He stated that the project in question is located at 129<sup>th</sup> and Maple Streets. Hiro Restaurant is converting two bays into a new restaurant. Their kitchen sports a lot of equipment, and would typically require a 3,000 gallon grease interceptor due to the number of fixtures in the kitchen. Grease interceptors of this size require an inspection manhole. Mr. Reed asserted that the new restaurant is located in such a way that it would be very difficult to have inspections done on a grease interceptor, as the manhole would be located directly next to the new restaurant's outdoor dining patio.

In lieu of the required 3,000 gallon grease interceptor, Mr. Reed proposed installing two 250 gallon thermal plastic grease interceptors inside the building. Mr. Reed submitted schematics for the proposed system, commenting that this system will be similar in price to a 3,000 gallon concrete interceptor; however, the restaurant would not be required to install an inspection manhole, and would be easier to install and maintain in such a tight area. Mr. Wonder stated that his division has no objection to the waiver; but asked that the Board stipulate that the fixtures be modified to include a vent on both inlets and outlets so as not to interfere with water flow in the rest of the building.

After some discussion, Mr. Estabrook made a motion to approve, with the stipulation that the proposed thermal plastic grease interceptors be modified to include a "T" for venting on both inlets and outlets as discussed. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

13-3-48

Todd Siemers  
Tackett Company  
4623 S 166<sup>th</sup> Circle  
Omaha NE 68135

REQUEST: Waiver of section 49-636 as regards drinking fountain.

Location: 11811 "T" St  
49-636

Todd Siemers appeared before the Board. Mr. Miller stated that the applicant wishes to utilize existing hard-piped water coolers in lieu of the required drinking fountains at this location. Mr. Siemers stated that the proposed hydration units are ADA-compliant and confirmed that the fixtures are connected to waste. He submitted pictures of the fixtures for the Board's review.

After some discussion, Mr. Reed made a motion to approve a waiver of drinking fountains at this facility, due to the fact that these fixtures will be replaced by ADA-compliant hydration units which are hard-piped to both domestic water and to waste. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

13-3-49  
Daler Usmanov  
6510 Seward St  
Omaha NE 68104

REQUEST: Waiver of 49-1141, Type I interceptor and 49-631, waiver to allow unisex restroom

Location: 2941 Keystone Dr  
49-1141, 631

Daler Usmanov and Ken Jarboses appeared before the Board. The business in question sells after-market new auto parts. Business is primarily online. The location also sells automobiles; however, no service will take place at this facility. Copies of contracts with Jensen Tire and Russell Speeder were submitted as proof that all mechanical service and car washing/detailing will take place offsite. Mr. Wonder stated that the building does include a mechanic's service bays; however, this area will be used to store auto parts only. In addition to the request for a waiver of the required Type I interceptor, the applicant requested a waiver to continue to use their existing unisex restroom. 1:10:14

Motion to approve a waiver of Type I interceptor by Mr. Reed. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

Motion by Mr. Reed to allow a unisex restroom with urinal in this facility, with the stipulation that it be ADA-compliant. Second by Mr. Barrett.

AYES: Barrett, Feyerherm, Miller, Reed, Salem, Schaap

NAYS: Estabrook

Motion carried 7-0.

13-3-50  
Caleb Smidt  
6021 Pratt St  
Omaha NE 68104

REQUEST: Waiver to allow unisex restroom in a day care facility

Location: 5815 N 60<sup>th</sup> St  
49-631

Caleb and Donna Smidt appeared before the Board. Mr. Miller commented that the subject location is a day care center. The proposed unisex restroom would be for employees; sufficient facilities exist for the children at this facility. When asked, Mr. and Ms. Smidt stated that the toilets in the children's restrooms are adult sized; it was felt by the Board that these restrooms may be able to serve as emergency facilities for adults if the unisex restroom was occupied.

Motion to approve by Mr. Reed. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller Reed, Salem, Schaap

Motion carried 7-0.

**VIII. Approval of Apprenticeship Renewals (12)**

Paul Barrett  
Paul May

Mr. Rooter  
The Waldinger Corp.

Metro  
Local 16

Motion by Mr. Estabrook to approve renewal of the apprentice licenses listed above. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap

Motion carried 7-0.

**IX. Discussion**

- The Board reviewed alterations to the Plumbing Board application form and approved these changes.
- The Board discussed the possibility of providing a one-time oral examination due to a recent request by an applicant. The Board decided to go into executive session to discuss this matter further.

**X. Executive Session**

Mr. Wonder asked that the Board enter executive session in order to discuss oral examination policies.

Motion to go into executive session by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap

Motion carried 7-0. Board entered executive session @ 3:04 pm.

**XI. Adjourn**

Meeting adjourned by mutual consent at 3:17 pm.

**\* = APPLICANT MUST BE PRESENT AT MEETING**

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A full, continually current agenda is available for public inspection in Room 1110 of the Omaha/Douglas Civic Center during normal business hours.

The Omaha Plumbing Board reserves the right to modify the agenda at the public meeting.

If alternative (tape) to the agenda is needed, please advise Jim Wonder. A 72-hour notice is required.

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Visit the Planning Department's Site on the Internet at <http://co.douglas.ne.us/omaha/planning/boards/plumbing-board>