

# MINUTES

## OMAHA PLUMBING BOARD

Regular Meeting – Wednesday, July 10<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 Feyerherm  
Jeff O. Estabrook, Vice-Chairman  
David W. Miller, Chairman  
Christopher P. Reed  
Terry Salem  
Amy L. Schaap

#### Members Absent:

Brian A Barrett

#### Others Present:

Jim Wonder, City of Omaha Planning Department  
Reid Steinkraus, Douglas County Health Department

Mr. Miller called the meeting to order at 1:31 pm.

### II. Approval of Minutes from June 12<sup>th</sup>, 2013

Motion to approve meeting minutes from June 12<sup>th</sup> & June 26<sup>th</sup> by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 6-0.

### III. \*Apprenticeship Agreement(s)

Kyle R DeWitt  
6811 S 49<sup>th</sup> St  
Omaha NE 68117

Eyman Plumbing  
8506 S 117<sup>th</sup> St  
LaVista NE 68128

#### 6/12/2013:

Kyle DeWitt appeared before the Board. Mr. Miller reviewed the file and commented that Mr. DeWitt's application was missing some of the required paperwork.

Motion to hold this case over to June 26, 2013 by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0.

**6/26/2013:**

Kyle DeWitt appeared before the Board. He submitted a payroll summary for the Board's review; however it was determined that Mr. DeWitt had worked for Eyman Plumbing longer than was indicated on the payroll summary. Mr. DeWitt's file was also missing the required ratio sheet for the shop.

Motion to hold this case over to the July 10<sup>th</sup> 2013 meeting by Mr. Estabrook. Second by Mr. Miller.

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

Motion carried 6-0.

**7/10/2013:**

Kyle DeWitt appeared before the Board. Mr. DeWitt's employer submitted the requested documentation to the Board Secretary before the meeting. Mr. Miller commented that all appeared to be in order with the application.

Motion to approve Kyle DeWitt as a registered apprentice with a start date of October 10, 2012 by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 6-0.

**IV. \*Cases**

13-7-85

Kevin Burns  
3450 11<sup>th</sup> Av  
Council Bluffs IA 51501

REQUEST: Request for reactivation of retired journeyman plumber license.

49-237

Kevin Burns appeared before the Board. Mr. Miller reviewed the file and commented that all appeared to be in order with the application.

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

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

Motion carried 6-0.

12-1-16 *From 1/25/2012, 2/8/2012 and 2/22/2012*

Nick Bartholomew  
17117 Oak Drive Suite D  
Omaha NE 68130

REQUEST: Variance of section 49-1104, grease interceptor

Location: 16859 Q St  
49-1104

**1/25/2012:**

Nick Bartholomew appeared before the Board. Mr. Bartholomew intends to open a new restaurant, and requested a waiver of the required grease interceptor. Mr. Bartholomew stated that his restaurant will offer breakfast and lunch only. The menu is health-conscious; french fries are the only item on the menu that will be fried.

Mr. Bartholomew's application stated that the installation of a grease interceptor would interfere with drive through customers being able to visit his business. It would also mean that the adjacent tenant (Pizza Hut) would not be able to receive deliveries, as the service entrances would be inaccessible during the time that the interceptor was being installed. Mr. Bartholomew stated that the previous tenant was a Blimpie's sandwich shop, which was not required to have a grease interceptor in it. When asked by Mr. Estabrook, Mr. Bartholomew stated that there are no plans to tear up the floor in this space.

Mr. Estabrook asked Mr. Bartholomew to clarify his statement that a grease interceptor would inhibit the drive through lane of his business. Mr. Bartholomew replied that the area behind his restaurant currently contains Pizza Hut's grease catcher and a large trash dumpster. Service doors empty onto the drive through lane, and a local YMCA backs onto the other side of the drive-through lane. This leaves very little space for a grease interceptor. During the installation of a grease interceptor, customers using his business' drive through window would be required to back out of the drive through in the direction in which they entered it instead of being able to drive around the back of the building. Construction would also prohibit deliveries of supplies to his neighbors.

Mr. Wonder stated that the Plumbing Code requires a restaurant owner to have a grease interceptor if they produce grease. The previous tenant, Blimpie's, did not produce grease and was therefore not required to have a grease interceptor. Mr. Wonder asked for more information regarding the amount of grease that Mr. Bartholomew's menu will produce. Mr. Bartholomew stated that the only grease-producing item on the menu is a side order of french fries. The business will also serve turkey bacon and chicken sausage; however, the reduced amount of grease produced from these healthier items will be used for cooking. Mr. Estabrook pointed out that dishes must still be washed; grease on pans and cooking utensils would still enter the system.

Mr. Wonder stated that the Board does have the option to allow a smaller grease interceptor if they feel that this would be an appropriate solution for this applicant. He added that he would be willing to work with Mr. Bartholomew to size an appropriate grease interceptor for this business, and to explore other grease-removal options for this applicant.

After some discussion, Mr. Reed made a motion to hold this case over to the February 8<sup>th</sup>, 2012 meeting of the Omaha Plumbing Board in order to allow Mr. Bartholomew time to meet with Mr. Wonder to discuss possible grease-removal options for this business. Second by Mr. Estabrook.

AYES: Barrett, Estabrook, Killian, Miller, Reed, Salem, Wellendorf

Motion carried 7-0

**2/8/2012:**

No one appeared in support of this request. Mr. Wonder stated that he has spoken to Mr. Bartholomew since the Board's January 25, 2012 meeting; however, the applicant has not yet met with Mr. Wonder with plans for his business. Mr. Wonder stated that he added that he is still willing to work with Mr. Bartholomew to see if a smaller grease interceptor would work for the needs of this restaurant.

Motion to hold this case over to the February 22, 2012 meeting by Mr. Estabrook. Second by Mr. Salem.

AYES: Barrett, Estabrook, Miller, Reed, Salem, Wellendorf

Motion carried 6-0.

**2/22/2012:**

No one appeared in support of this request.

Motion to place this case on file by Mr. Estabrook. Second by Mr. Salem.

AYES: Estabrook, Killian, Miller, Reed, Salem

Motion carried 5-0.

**7/10/2013:**

No one appeared in support of this request.

Motion to place case on file by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 6-0.

13-7-86

Lyle Hendrickson  
Metropolitan Community College  
2707 Ed Babe Gomez Av  
Omaha NE 68107

REQUEST: Certification of apprentice program curriculum

49-244, 246, 247

Lyle Hendrickson appeared before the Board. In addition to the curriculum approved by the Board in previous years, Mr. Hendrickson requested approval of a graywater recycling class. He stated that this class would only be available to apprentices who have completed their third year. The Board reviewed the submitted curriculum.

Motion to approve Metropolitan Community College's submitted curriculum, including the described graywater recycling class, by Mr. Estabrook. Second by Mr. Reed.

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

Motion carried 6-0.

13-7-87

Theresa Ptacek  
ABC Education Center  
2602 Harney St  
Omaha NE 68131

REQUEST: Certification of apprentice program curriculum  
  
49-244, 246, 247

Theresa Ptacek appeared before the Board. The Board reviewed the submitted curriculum for ABC Education Center.

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

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

Motion carried 6-0.

13-7-88

Bob Brau  
Brau Builders  
20515 Nicholas Cir #6  
Omaha NE 68022

REQUEST: Waiver of 49-1141, Type I interceptor and 49-631, waiver  
to allow unisex restroom  
  
Location: 5825 N 90<sup>th</sup> St  
49-1141, 631

Bob Brau appeared before the Board with Drazen Su'juzovic, tenant at 5825 N 90<sup>th</sup> Street. Mr. Miller read from the application that Mr. Su'juzovic runs an internet car sales business. The business has no employees save Mr. Su'juzovic; no repairs are done to the vehicles on site, nor is there any foot traffic within the space by the public. Mr. Wonder commented that this request was directed to the Plumbing Board due to the fact that vehicles will be stored at the property.

Mr. Reed asked Mr. Su'juzovic whether he performed any mechanical maintenance on the vehicles at this property. Mr. Su'juzovic stated that he only vacuums the vehicles as needed. He added that there are usually one to two vehicles on his property at any given time. Vehicles are stored inside the building; there are no floor drains in the area where the cars are kept. Mr. Estabrook asked the applicant whether there was an existing restroom in his space. Mr. Su'juzovic replied that there is an existing restroom; however, it does not have a urinal. In response to Mr. Estabrook's question, Mr. Su'juzovic stated that he takes cars off-site to a local car wash as needed; they are not washed on his property.

Motion by Mr. Reed to approve requested waiver of Type I interceptor and to allow a unisex restroom without a urinal. This waiver is for this business and this business only. Second by Ms. Schaap.

AYES: Feyerherm, Miller, Reed, Schaap

NAYS: Estabrook, Salem

Motion carried 4-2.

13-7-89  
Chris Janicek  
405 N 40<sup>th</sup> St  
Omaha NE 68131

REQUEST: Waiver to allow unisex restroom.  
  
Location: 501 South 11<sup>th</sup> St  
49-631

Chris Janicek appeared before the Board. Mr. Miller read from the application that the applicant has an existing restroom in an historic building (Old Market). Mr. Miller continued reading from the application, noting that the business will have no customer seating; business will be carry-out only. This location totals approximately 900 square feet.

Mr. Janicek stated that much of his space sports floor-to-ceiling windows; the remainder of the space is brick walls. He wishes to open a new cupcake business on the corner of 11<sup>th</sup> and Howard Streets. Currently, this space has an existing restroom in the basement; however, customers would not be able to access the restroom as they would have to walk through the food prep area in order to get there. The existing basement restroom would be for employees only.

Mr. Janicek stated that the Old Market Passageway and Spaghetti Works have public restrooms that they allow several businesses in the area to use; each of these restrooms are less than one hundred feet from his business. Mr. Wonder stated that the Plumbing Division recommended approval of the requested waiver, given the historic aspect of the Old Market neighborhood.

Motion by Mr. Reed to allow the use of the existing unisex restroom in the basement of 501 South 11<sup>th</sup> Street for employees' use only. Second by Mr. Salem.

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

Motion carried 6-0.

13-7-90  
Jason Cummings  
Cummings and Sons Construction  
8624 N 30<sup>th</sup> St  
Omaha NE 68112

REQUEST: Waiver to allow unisex restroom.  
  
Location: 9516 Calhoun Rd  
49-631

Jason Cummings appeared before the Board. Mr. Cummings explained that the space used to be a convenience store; the tenant intends to open a smaller convenience store in this building, leaving space for a future tenant to rent the remainder of this space. The Health Department registered no objection to the requested waiver.

Motion to approve for this business at this location only by Mr. Reed. Second by Ms. Schaap

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

Motion carried 6-0.

13-7-91  
Marc Luft  
Trinity Construction  
204 2<sup>nd</sup> St  
Des Moines IA 50309

REQUEST: Waiver to allow unisex restroom.

Location: 15825 West Maple Rd, Suite 106  
49-631

Marc Luft of Trinity Construction and Ron Feuerbach of Morrissey Engineering appeared before the Board. Mr. Reed recused himself from voting on this case.

Mr. Wonder commented that the site currently has existing restrooms; however, one restroom is going to be abandoned so that it may be used for secure storage. Mr. Feuerbach stated that the tenant wishes to store electronic equipment in this space, such as digital cable boxes. Total square footage of this space is 1,859 square feet; this includes 1,352 square feet of retail space and 507 square feet for operations.

While reviewing the application, Mr. Wonder noted that there was no drinking fountain shown on the plans. Mr. Feuerbach stated that it would be no issue to install a drinking fountain if required.

Motion by Mr. Estabrook to approve requested waiver to allow unisex restroom, with the stipulation that said restroom must include a urinal. This business is also required to install a drinking fountain within the retail space area. Second by Mr. Salem.

AYES: Estabrook, Feyerherm, Miller, Salem

NAYS: Schaap

ABSTAIN: Reed

Motion carried 6-0.

## V. Discussion

- Mr. Wonder presented an affidavit to bring a master plumber before the Board for revocation of license. He read the sworn affidavit aloud to the Board members, and asked them whether they wished to proceed with a revocation hearing for the plumber's license(s).

Motion to hold a hearing for the possible suspension or revocation of Nicholas Vodicka's temporary master plumber license by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 6-0. Revocation hearing to take place August 14, 2013.

**VI. Adjourn**

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

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

Motion carried 6-0. Meeting adjourned at 2:32 pm.

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

---

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.

---

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