MINUTES
Administrative Board of Appeals
January 22, 2018

MEMBERS PRESENT:
Brian W. Kruse
Mark Santo
Ryne Bessmer, Alternate

MEMBERS NOT PRESENT:
David C. Levy, Chairman
Ann O’Connor, Vice Chair
Jeffrey Beals

STAFF PRESENT:
Timothy Himes, Law Department
Jay Davis, Planning Department
Clinette Ingram, Board Secretary

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Mr. Bessmer moved to ELECT Mr. Kruse as Acting Chair. Mr. Santo seconded the motion.

AYES: Bessmer, Santo
ABSTAIN: Kruse
MOTION CARRIED: 3-0-1

ROLL CALL:
Mr. Kruse called the meeting to order at 1:00 pm. The Board received as Exhibit 1 the contents of the City's file on each case.

Cases:

1. 18-01-001
   John Perlebach
   Buchanan Energy
   7315 Mercy Road
   Omaha NE 68124
   REQUEST: Appeal Public Works Department denial of driveway permit
   (RE: 90th and Blondo Streets – Bucky’s)

The applicant requested a layover of this case.

Mr. Santo moved to LAYOVER until the February 26, 2018 meeting. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse
MOTION CARRIED: 3-0
2.  
18-01-002  
Trudy M. Sindelar  
13979 Woolworth Circle  
Omaha, NE 68144  
REQUEST: Appeal Police Department Notice of Nuisance (RE: Vehicle Registration - 13979 Woolworth Circle)

At the Administrative Board of Appeals meeting held on January 22, 2018 Officer James Stokes, Lynsy Flyr and Willow Manceaux appeared before the board.

Officer Stokes stated that a complaint had been forwarded from the Mayor’s Hotline about an unregistered vehicle. On November 24, 2017 he visited the location and saw a silver 2011 Ford Festiva with Iowa plates. A Notice of Nuisance was issued. He was advised that the vehicle was a loaner; however, he stated that any vehicle that is in the state for over 30 days must be registered with Nebraska plates and the Wheel Tax paid.

Ms. Flyr stated that she lives in Nebraska and drives the vehicle which is registered in Iowa. Ms. Manceaux indicated that she was the owner of the vehicle and that she was allowing Ms. Flyr to use the car. She did not know how to register the vehicle.

Officer Stokes explained that the owner would need to go to the DMV to arrange to have the title of the car shipped to Nebraska. A new Nebraska title would be issued which would allow the owner to license the vehicle in the state using the address where the vehicle is being stored. He added that a Wheel Tax sticker could be purchased from the City Cashier’s Office.

Ms. Manceaux stated that she could probably have the process completed within 30 days.

Mr. Santo moved to DENY the appeal with 30 days to comply. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse  
MOTION CARRIED: 3-0. Appeal denied.

3.  
18-01-003  
Matthew Newlon  
1691 Doppler Street  
Strausburg, CO 80136  
REQUEST: Appeal denial of Third Grade Stationary Engineer License

At the Administrative Board of Appeals meeting held on January 22, 2018 the applicant did not appear before the board. Tom Phipps, Chief Mechanical Inspector, appeared on behalf of the City.

Mr. Phipps explained that when applicants live out of the state, the board will usually hear the City’s statement. He stated that a letter had been sent to Mr. Newlon informing him that his license had been denied since it had not been renewed for 2017. Mr. Newlon submitted an email that explained that he was on active duty with the military at the time. He indicated that he was under medical care for injuries sustained while on duty. He requested a reinstatement of his license. Mr. Phipps stated that, since the applicant was on active duty during 2017, it was at the board’s discretion whether Mr. Newlon would be required to pay for 2017 and 2018 if his appeal was granted.

Mr. Santo moved to GRANT the appeal and waive the fee for 2017. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse  
MOTION CARRIED: 3-0. Appeal granted.
4.

18-01-004
Roger A. Savich
2105 Dagmar Avenue
Bellevue, NE 68005

REQUEST: Appeal denial of Third Grade Stationary Engineer License

At the Administrative Board of Appeals meeting held on January 22, 2018 Roger Savich appeared before the board. Tom Phipps, Chief Mechanical Inspector, appeared on behalf of the City.

Mr. Phipps stated that on December 19, 2017 Mr. Savich came to Permits and Inspections to renew his license. He was given a letter that stated that his license has expired since he had not paid for his 2017 license. He requested that if the board decided to reinstate the license, Mr. Savich be required to pay for 2017 and 2018.

Mr. Savich stated that he was under the impression that he had renewed his license. He explained that he was very busy during December 2016 due to a death in his family. He stated that he worked for Omaha Public Schools and that his license was required for some of the work he did there. He added that he did not believe that he received a renewal notice for 2017.

Mr. Santo moved to GRANT the appeal. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse

MOTION CARRIED: 3-0. Appeal granted.

5.

18-01-005
Larry W. Rosman-Webber
8512 North 47th Street
Omaha, NE 68152

REQUEST: Appeal denial of Third Grade Stationary Engineer License

At the Administrative Board of Appeals meeting held on January 22, 2018 the applicant did not appear before the board. Tom Phipps, Chief Mechanical Inspector, appeared on behalf of the City.

Ms. Ingram, Board Secretary, stated that the applicant requested a layover due to a previously scheduled surgical procedure.

Mr. Santo moved to LAYOVER until the February 26, 2018 meeting. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse

MOTION CARRIED: 3-0.
Approval of Minutes

Mr. Santo moved to APPROVE the September 25, 2017 minutes. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse

MOTION CARRIED: 3-0.

Mr. Santo moved to APPROVE the December 18, 2017 minutes. Mr. Bessmer seconded the motion.

AYES: Bessmer, Santo, Kruse

MOTION CARRIED: 3-0.

Election of Officers

Mr. Bessmer moved to LAYOVER the Election of Officers until the February 26, 2018 meeting. Mr. Santo seconded the motion.

AYES: Bessmer, Santo, Kruse

MOTION CARRIED: 3-0.

ADJOURN:

It was the consensus of the board the ADJOURN the meeting at 1:37 p.m.