MINUTES
OMAHA PLUMBING BOARD
Regular Meeting – Wednesday, November 4, 2009
1:30 pm – City/County Building – 1819 Farnam Street
Jesse Lowe Conference Room – Third Floor

I. Roll Call

Members Present:
Jeff O. Estabrook, Acting Chairman
George E. Killian
Patrick B. Leddy, Vice-Chairman
Cataldo A. Leo
David W. Miller, Chairman
Christopher P. Reed

Members Absent:
Daniel J. Wellendorf

Others Present: Joe Virgil, Planning Department
                     Doug Clark, Douglas County Health Department

Mr. Miller called the meeting to order at 1:30 p.m.

II. Approval of Minutes

Motion by Mr. Leddy to approve the minutes from the last meeting. Seconded by Mr. Leo.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0

III. *Cases

9-10-101 From 10/21/09
Kylan Block
RDG Planning & Design
900 Farnam St Ste 900
Omaha NE 68102

REQUEST: Waiver of Section 49-636 Table 3 Note 9: Restaurants shall be required to have restrooms in the space occupied.

October 21, 2009

Mr. Reed recused himself and appeared for Kylan Block. Mr. Reed stated that this request for a waiver is for the main floor level of the Paxton Hotel building. The Paxton Hotel building is a mixed-use development, with retail space on the main floor. Mr. Reed submitted for the Board’s review plans for the proposed Crane Coffee Diner, and explained that he is requesting a waiver of fixture count requirements. Mr. Reed cited a waiver previously granted by the Board for the Paxton Chop House on the same level of the building, which allowed the use of restrooms located in the main lobby of the hotel in lieu of having the required number of restrooms within the restaurant. Mr. Reed would like the Board to grant a similar waiver for the Crane Coffee Café.

Mr. Wonder stated that the Plumbing Division has received numerous complaints from Paxton Chop House customers who attempted to access the main lobby restrooms only to find that the building owner had locked them. Mr. Wonder stated that due to these past problems with access, the Plumbing Division recommended denial of this waiver. Mr. Wonder requested that the Board require the owner to leave the main lobby restrooms unlocked as part of any waiver granted.
Mr. Reed stated that he had had a conversation with the owner of the Paxton Hotel building. The owner indicated to Mr. Reed that he would be willing to leave the main lobby restrooms unlocked. Mr. Killian inquired as to why the owner was locking the lobby restrooms at all; and stated that he would suggest that the owner be required to remove the locks on the door to the restrooms if a waiver were granted.

Mr. Reed stated that he could obtain a letter from the Paxton Hotel building owner which would state his intent to leave the main lobby restrooms unlocked.

Motion by Mr. Leddy to hold this case over to the next meeting of the Board, pending receipt of a letter from the Paxton Hotel building owner regarding access to the main lobby restrooms. Seconded by Mr. Leo.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Wellendorf

ABSTAIN: Reed

Motion carried 6-0-1

November 4, 2009

Mr. Kylan. Block of RDG Planning and Design and Mr. Mike Moylan of Shamrock Development appeared before the Board. Mr. Miller reviewed the minutes of the last meeting for the other Board members, and stated that this case had been held over to today’s meeting pending receipt of a letter from the Paxton Hotel building owners stating that restrooms would be unlocked and made available for use of the public during operating hours of the proposed Crane Coffee Café space.

Mr. Moylan stated that the Paxton Hotel does not employ a security guard during the daytime, and restrooms are currently locked from public use due to a fear of vandalism. Tenants have access to these restrooms during the day via use of a coded keypad installed outside the restroom door. Mr. Moylan stated that the building owners are not prepared to leave these restrooms unlocked during the day at this time due to their concern that these facilities would be vandalized.

After some discussion, the Board members restated that the restrooms in the Crane Coffee Café do not currently meet fixture count requirements in their own right; in order for this retail space to meet Plumbing Code requirements, it needs to count the main lobby restrooms in its fixture count. The Board restated its opinion that the Paxton Hotel should be required to make the public lobby restrooms open for public use during business hours. Mr. Miller stated that this meant leaving the restrooms unlocked and without using access codes.

Mr. Moylan stated that Crane Coffee Café opens at 6:00 AM, and restated his concern that this would open the building to vandalism. Mr. Moylan stated that he was not aware that complaints had been received by the Permits and Inspections division regarding the locked main lobby restrooms from Paxton Chophouse patrons, and stated that he had spoken to Mr. Wonder in the past week. According to Mr. Moylan, Mr. Wonder had stated that the main lobby restrooms could remain locked during the day; provided that signage were posted next to the doors directing patrons to obtain the code to unlock the doors from the retail spaces within the facility. Mr. Wonder was not available at today’s meeting for confirmation. Mr. Miller asked Mr. Virgil of the Permits and Inspections Plumbing Division for their recommendation. Mr. Virgil recommended that the Board require the Paxton Hotel to leave the main lobby restrooms unlocked for use of the public as agreed upon in the October 21st, 2009 meeting of the Board.
Motion by Mr. Killian to waive fixture count requirement for Crane Coffee Café, and to allow common restrooms located in the main lobby to make up the difference in fixture count, contingent upon the submission of acceptable proof from the Paxton Hotel attesting to a previous agreement to leave the main lobby restrooms locked during the day. If such an agreement is proven to have been in existence, signage must be posted outside the main lobby restroom doors directing patrons to obtain access codes from the businesses located within the building if they wish to use the restrooms. If the Paxton Hotel cannot submit proof that such an agreement was in place, then they must submit to the Board Secretary a letter which states that the main lobby restrooms will remain unlocked during the business hours of tenants within the building.

AYES: Killian, Leo

NAYS: Estabrook, Leddy, Miller

ABSTAIN: Reed

Motion failed 3-2.

Motion by Mr. Leo to grant the waiver of fixture count requirement for Crane Coffee Café as requested, contingent upon receipt by the Board Secretary of a letter from the Paxton Hotel stating that the main lobby restrooms will be left open and unlocked during business hours for public use without the use of access codes. Seconded by Mr. Leddy.

AYES: Killian, Leddy, Leo, Miller

NAYS: Estabrook

ABSTAIN: Reed

Motion carried 4-1-1

9-11-104

Eric Westman
Alley Poyner Macchietto Architecture P.C.
1516 Cuming St
Omaha NE 68102

REQUEST: Waiver of Section 49-636 Table 6 Note 3: Exception of 1500 SF limit for shared restrooms.

Eric Westman of Alley Poyner Macchietto Architecture P.C. and Christian Christensen of Bluestone Development appeared before the Board.

Mr. Westman explained that the property in question is a mixed use building. One tenant in the building wishes to combine two spaces and create a larger retail space. Individually, each retail space is in compliance with Code; by combining these two areas, the new retail space exceeds the 1,500 sf limit for shared restrooms as outline in Section 49-636, Table 6, Note 3. Mr. Westman and Mr. Christensen submitted plans of the space.

Motion by Mr. Killian to allow waiver of 1,500 sf limit as requested and documented for retail occupancy only. Seconded by Mr. Leo

AYES: Estabrook, Killian, Leddy, Leo, Miller

ABSTAIN: Reed

Motion carried 5-0-1

*The Board took a five minute recess at this time.*
9-11-105
Cindy Keffer
Millard Winnelson
14047 Industrial Road
Omaha NE 68144

REQUEST: Approval of Provider.

Doug Hoffman with Millard Winnelson appeared before the Board. The Board Secretary stated that she had spoken to Cindy Keffer – they are going to use Board pre-approved instructors and class materials.

Motion to approve Millard Winnelson as a Provider by Mr. Reed. Seconded by Mr. Leo.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0

9-11-106
Juan Mora
820 S 35 St
Omaha NE 68105

REQUEST: Waiver of fixture count requirement

Juan Mora appeared before the Board to request a waiver of fixture count requirement. Mr. Mora’s family is planning to open a small business at 3302 Q Street. The development is an open air type marketplace. There is no restroom currently installed in this bay; Mr. Mora requested a waiver to allow customers to use the public restrooms located some 200 yards from the store.

The Board reviewed the file and asked Mr. Mora if they planned to serve food. Mr. Mora replied that his family intends to sell package goods only. There is no customer seating in the bay.

Motion by Mr. Reed to allow waiver of fixture count requirement in this space. It is the belief of the Plumbing Board that this facility is in compliance with Section 49-636, Table 6 Retail Space Note 3 for accessible common restrooms within 200 feet of tenant space. Seconded by Mr. Killian.

AYES: Killian, Leddy, Leo, Miller, Reed

NAYS: Estabrook

Motion approved 5-1

9-11-107
Mark Roseland
Backlund Plumbing
14920 Grover St
Omaha NE 68144

REQUEST: Approval of Provider.
Approval of Instructor
Approval of Continuing Education Class.

Mark Roseland appeared before the Board to request approval for continuing education for Backlund Plumbing employees. Mr. Roseland plans to hold eight hours of continuing education for his employees.

Motion to approve Backlund Plumbing as an Approved Provider by Mr. Killian. Seconded by Mr. Estabrook.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0
Mr. Roseland answered the Board’s questions in regards to his proposed Instructors. Mr. Roseland, his son Chris Roseland and Cody Culver will be teaching plumbing code theory and application, and MUD water rules and regulations. Ron Peters will be teaching backflow (and is a Plumbing Board-approved Instructor). Chris Rerick and Adam Christensen will be teaching Sloan and Nabian products.

Motion by Mr. Reed to approve Mark Roseland, Chris Roseland, and Cody Culver as Instructors for Omaha Plumbing Code theory and application and MUD water rules and regulations; and to approve Chris Rerick as an Instructor for Sloan products, and to approve Adam Christensen as an Instructor for Nabian products. The product shows are limited to one hour for each product. Seconded by Mr. Killian.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0

The Board then reviewed Mr. Roseland’s proposed class. Classes will take place

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Motion to approve Mr. Roseland’s class as requested by Mr. Reed. Seconded by Mr. Killian.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0

9-11-108
Ron J Samson
2627 N 103 Ct
Omaha NE 68134

REQUEST: Request to allow additional time to complete continuing education requirement.

49-215

Ron J Samson was not present.

Motion to file by Mr. Leddy. Seconded by Mr. Leo.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0
9-11-109
Ron S Samson
14004 N 138 St
Omaha NE 68142

REQUEST: Request to allow additional time to complete continuing education requirement.

49-215

Ron S. Samson was not present.

Motion to file by Mr. Leddy. Seconded by Mr. Leo.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0

9-11-110
Patrick R Gobel
9424 N 30 ST
Omaha NE 68112

REQUEST: Request to allow apprentice required education hours to be counted towards sewer layer continuing education hours.

49-215

Patrick Gobel and Mike Knutson with Carmody Plumbing appeared before the Board. Mr. Gobel is a registered 4th year apprentice plumber who also holds a sewer layer license. Mr. Gobel would like the Board to allow him to count his required apprentice schooling hours from Metro Community College towards his required yearly continuing education hours for sewer layer.

The Board asked Mr. Gobel if he plans to maintain his sewer layer license after his apprenticeship. Mr. Gobel replied that he would like to have his sewer layer license until he can obtain his Journeyman license. Mr. Gobel will be eligible to test for Journeyman next fall.

Motion to allow Mr. Gobel’s required apprentice education hours from Metro Community College to be counted towards his required 2009 continuing education hours for sewer layer by Mr. Killian. Seconded by Mr. Reed.

AYES: Estabrook, Killian, Leo, Reed

NAYS: Leddy, Miller

Motion carried 4-2
IV. *Apprenticeship Agreements*

Dan J. Kudlacek  
*From 9/9/09*  
108 E 5 St  
Louisville NE 68037

DRZ Plumbing Inc.  
12125 Bobwhite Rd  
Gretna NE 68028

**September 9, 2009**

Dan Kudlacek and Don Zeleny with DRZ Plumbing appeared before the Board. Mr. Kudlacek requested a start date of April 3, 2009. Mr. Kudlacek is attending Metro Community College. Mr. Kudlacek submitted with his application a payroll summary signed by his Master Plumber showing that he was employed at the time of his requested start date.

Upon examination of DRZ Plumbing’s ratios, it was determined that Mr. Zeleny already has an apprentice on file with the Plumbing Board. Therefore, DRZ Plumbing would not have the required 1:1 ratio as required by Code for apprentice plumbers if Mr. Kudlacek were approved as an apprentice plumber today.

Motion to deny based on shop ratios by Mr. Killian. Seconded by Mr. Reed.

AYES: Estabrook, Killian, Leo, Reed, Wellendorf.

MOTION carried 5-0. Application denied.

**November 4, 2009**

Dan Kudlacek and Don Zeleny reappeared before the Board. Mr. Zeleny explained that since his last appearance before the Board, he has hired on a journeyman plumber, and his registered apprentice has left the company. Mr. Zeleny and Mr. Kudlacek submitted for the Board’s review an updated ratio sheet. Mr. Zeleny requested a start date of April 3, 2009 for Mr. Kudlacek.

Mr. Miller stated that since the shop was not in compliance at the time of Mr. Kudlacek’s requested start date, he did not agree with granting the requested start date. After some discussion, the Board suggested a start date of September 1, 2009 for Mr. Kudlacek. Mr. Kudlacek stated that he agreed with this date.

Motion to approve with a start date of September 1, 2009 by Mr. Reed. Seconded by Mr. Killian.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed

Motion carried 6-0
V. Journeyman Plumber Examinations to be graded

Alex G Alonzo  
2900 Twin City Dr  
Council Bluffs IA  51501

Eyman Plumbing  
8506 S 117 St  
La Vista NE  68128

David P Bassett (Written)  
6300 Arbor St. Lot 111  
Omaha NE  68106

Wonder Plumbing  
7811 S 134 St #100  
Omaha NE  68138

Michael G Bland  
2550 Ave H  
Council Bluffs IA  51501

Precise Contracting & Plumbing  
720 N Frontier Road Suite 4  
Papillion NE  68046-4398

Jeff A. Clayton  From 7/29/09  
4510 “O” St  
Omaha NE  68117

Aksarben Heating, A/C & Plumbing  
7070 S 108 St  
Omaha NE  68128

Scott A Crews (Practical)  
14917 Edna St  
Omaha NE  68138

TSI Mechanical  
12251 Cary Circle Ste 150  
La Vista NE  68128

Kurt A Doyle (Practical)  
10406 State St  
Omaha NE  68122

TSI Mechanical  
12251 Cary Circle Ste 150  
La Vista NE  68128

Jeffrey S Evans (Written & Plans)  
2145 S 33 St  
Omaha NE  68105

Carmody Plumbing  
8504 N 29 St  
Omaha NE  68112-2219

Chris Falcone (Practical & Plans)  
14826 Giles Road #312  
Omaha NE  68138

Precise Contracting & Plumbing  
720 N Frontier Road Suite 4  
Papillion NE  68046-4398

Chris G Gatzemeyer  
7621 Windsor Dr  
Omaha NE  68114

Aspen Plumbing  
6269 Pine Street  
Omaha NE  68106

Christopher J Griffith (Practical)  
3011 S 9 St  
Omaha NE  68108

Morehead Plumbing Inc  
2145 Ashwood Ave  
Papillion NE  68133-3330

Robert L Hackett III (Practical)  
9561 Corby St  
Omaha NE  68134

Dave Janke Plumbing  
15013 Grover St  
Omaha NE  68144-3240
Ben J Jaworski (Written)  
PO Box 641892  
Omaha NE  68164

Ray Martin Company  
6201 Center St  
Omaha NE 68106

Christopher J Jensen  
3622 S 46 Ave  
Omaha NE  68106

Vincentini Plumbing  
2308 S 16 St  
Omaha NE 68108

Terry L Johnson Jr  *From 7/29/09*  
21434 Parkview Drive  
Gretna NE 68028

Wonder Plumbing Inc.  
7811 S 134 St, #100  
Omaha NE 68138

Trevor L Johnston (Practical)  
4545 S 39 St  
Omaha NE  68107

Midwest Mechanical Contractors  
4717 F St  
Omaha NE 68117

Tyler T Kountze (Practical)  
15116 Greene Ave  
Omaha NE  68138

Radden Plumbing  
4651 A St  
Omaha NE 68106

Cameron M Kunik  
103 S 2 St  
Kimballton IA  51543

Thompson Plumbing  
14909 Grover St  
Omaha NE 68144

Ben D Latto  
111 S 8 St  
Missouri Valley IA  51555

Plumbers Local Union 16  
4801 F St  
Omaha NE 68117

Robert Lawrence (Practical)  
7418 S 53 St  
Bellevue NE  68157

Wonder Plumbing  
7811 S 134 St #100  
Omaha NE 68138

Lorin W Loch (Practical)  
6756 S 88  
Lincoln NE  68526

Service One  
9335 J St  
Omaha NE 68127

Christopher M Maguire (Practical)  
14916 Dayton St  
Omaha NE  68137

Dave Janke Plumbing  
15013 Grover St  
Omaha NE 68144-3240

Frank L Marco  
6042 S 40 St  
Omaha NE  68107

Backlund Plumbing  
14420 Grover St  
Omaha NE 68147
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<td>The Frazier Company</td>
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Terry Wienke  
17120 Barnett St  
Omaha NE 68116

Skinner Plumbing  
230 N West St  
Valley NE 68064

Jason L Wilson  
7735 N 38 St  
Omaha NE 68112

Backlund Plumbing  
14920 Grover St  
Omaha NE 68144

VI. Master Plumber Examinations to be graded.

Michael J Curphey (Practical) From 8/12/2009
2123 Dana Ln  
Papillion NE 68133

Prairie Mechanical Corporation  
2842 Tucker  
Omaha NE 68112

Michael A Johnson
37168 130th Av  
Avon MN 56310

J-BERD Mechanical Contractors  
3308 Southway Dr  
St. Cloud MN 56301

Allen G Tolliver
12138 Roberts Road  
LaVista NE 68128

Tolliver Plumbing  
12138 Roberts Road  
LaVista NE 68128

VII. Lawn Sprinkler Contractor Examinations to be graded.

Anthony P McCormack
5610 S 49 St  
Omaha NE 68117

Above & Beyond  
Complete Grounds Maintenance  
5610 S 49 St  
Omaha NE 68117

VIII. Sewer Layer Examinations to be graded.

Jeremy Carnako
3510 Hancock Lot 116  
Bellevue NE 68005

Double D Excavating  
7071 North 87 St  
Omaha NE 68122
IX. **Discussion**

The Board Secretary advised the Board that she had received a call from a plumber who was upset that the City of Omaha does not supply continuing education classes for plumbers. He stated that he would like to speak to the Board at the next meeting regarding this matter. The Board stated that if the gentleman cared to come to the next meeting of the Board, they would be happy to speak to him during the discussion portion of the meeting.

X. **Adjourn**

Motion to adjourn by Mr. Killian. Seconded by Mr. Estabrook.

AYES: Estabrook, Killian, Leddy, Leo, Miller, Reed.

MOTION carried 6-0. Meeting adjourned at 3:21 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.

Applications for the meeting to be held on Wednesday, November 18th are due no later than 9:00am on Thursday, November 5th.

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