I. Roll Call

Members Present:
Patrick B. Leddy, Vice-Chairman
Cataldo A. Leo
David W. Miller, Chairman
Christopher P. Reed
Daniel J. Wellendorf

Members Absent:
Jeffrey O. Estabrook
George E. Killian

Others Present: Jim Wonder, Planning Department (via telephone)
                Doug Clark, Douglas County Health Department

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

II. Approval of Minutes

Mr. Leddy made a motion to approve the minutes from the last meeting. Second by Mr. Leo.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

III. Examination Review

Journeyman Plumber

Mark Cunningham
5214 South 156th Street Apt. 338
Omaha NE 68135
REQUEST: Review of journeyman plumber's examination given Tuesday, February 10th.

Randall L. Dees
9144 South 147th Street
Omaha, NE 68138
REQUEST: Review of journeyman plumber's examination given Tuesday, February 10th.

Bruce W. Faulds
9144 South 147th Street
Omaha, NE 68138
REQUEST: Review of journeyman plumber's examination given Tuesday, February 10th.

IV. Cases

8-11-155 From 11/19/08
Terry Lott
SC Bodner Company Inc
1304 Joy St
Papillion NE 68046
REQUEST: Waiver to allow alternative piping.

49-215
Mr. Robert Peters appeared representing SC Bodner Company Inc., requesting a waiver to allow the use of PVC schedule 40 pipe and fittings on all sanitary drain lines in lieu of cast iron, and to use C-PVC or IPEX piping for supply lines for potable water systems throughout the Whispering Ridge Apartment development located at 175th and Maple Streets.

Mr. Peters stated that SC Bodner wished to remove the request for C-PVC piping for supply lines for potable water systems at this time. SC Bodner’s request was to allow the use of PVC waste piping in two 4 story buildings within the nine-building complex. Mr. Peters presented to the Board plans for the building in question, stating that the buildings were of a standard height and design for residential apartment buildings within the City.

Mr. Miller inquired as to whether there was any hardship in installing cast iron as the Plumbing Code requires in a building of more than three stories. Mr. Peters cited the reduced cost in using a PVC material rather than cast iron, and that from a maintenance and installation standpoint, it made more sense to use the same type of material throughout the apartment complex. Mr. Peters stated that he had discussed this project with Jim Wonder, and was told that code changes in the future might make this alternate material acceptable for use in four-story residential buildings.

Mr. Wonder stated that the agenda showed a mistake - the sections that would need to be waived in order to allow this request are Sections 49-721, 49-901, and 49-902. Mr. Wonder stated that the Code Committee has looked at the relevant sections of the Plumbing Code, and is contemplating changes to the Code in order to allow this use of alternative material in four story residential buildings in the future.

Mr. Miller stated that the code changes that Mr. Wonder cited have not yet been approved by the Board, and until such time as these code changes have been approved, he did not see a hardship in requiring the developer to install cast iron in the two four-story buildings as per the current Plumbing Code. Mr. Miller stated that he would entertain a motion to deny this waiver.

Motion to deny by Mr. Leddy. Second by Mr. Leo.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

9-3-48  From 3/25/09
Kristi Todorovich
Starsky’s Lounge
4020 S 13 St
Omaha NE 68107

REQUEST: Waiver of required exterior grease interceptor in a commercial kitchen.

March 25, 2009

Kristi Todorovich with Starsky’s Lounge appeared before the Board requesting a waiver of the required grease interceptor in a commercial kitchen. Ms. Todorovich explained that Starsky’s Lounge wishes to
install a small kitchen on site in order to better serve their customers. This would be primarily snack food, such as french fries, onion rings, and chicken wings.

Mr. Estabrook inquired as to the location of the establishment. Ms. Todorovich stated that Starsky’s Lounge is located on 13th Street, near the zoo. This structure was constructed in 1920.

Mr. Wonder stated that he had not checked with the Public Works Department to see if there was an issue with grease in the mains on 13th Street. Mr. Estabrook inquired as to whether there was space to install an interceptor on site; Ms. Todorovich replied that she could possibly install an interceptor beneath the single car driveway located next to the building.

Mr. Wonder stated that one hazard of installing a grease interceptor along the side of a building is the possibility of undermining the foundation of the building. He suggested that this might be considered as a hardship in installing a grease interceptor outside of the restaurant. Mr. Wonder suggested that the Board may be able to grant a waiver to allow the grease interceptor to be installed in the basement of the building.

Mr. Miller stated that he would like to hear from the Public Works Department if a grease problem exists in the area before the Board makes a decision. He suggested that the Board hold this case over to the next meeting so that Mr. Wonder can do further research on the area. Mr. Estabrook requested that Ms. Todorovich bring a sketch of her property so that the Board can determine how much of the property area is taken up by the structure. Mr. Wonder offered to send an inspector down to the building to help Ms. Todorovich determine where the sewer line is.

Motion to hold this case over to the April 8th meeting by Mr. Estabrook. Seconded by Mr. Reed.

AYES: Clifton, Leddy, Leo, Miller, Reed

Motion carried 5-0

April 8, 2009

Kristi Todorovich reappeared before the Board. Mr. Wonder stated that one of his plumbing inspectors was sent to Starsky’s in order to view the property. He found that it would be difficult to install an interceptor outside the building. Mr. Wonder has been in contact with the Public Works department – they have no objection to the proposed waiver. Based on the observation of the job site, the support of the Public Works Department, and the applicant’s plan for the amount of food they plan to serve, the Plumbing Division recommended that the Board grant the waiver as requested. This recommendation is contingent upon the continued support of the Public Works Department; should the Public Works Department at any time decide that the amount of grease has become a problem, Starsky’s would then be required to install a grease interceptor.

Mr. Miller stated that he agreed with Mr. Wonder’s recommendation, and advised the Board that if a motion is made to grant this waiver, that a stipulation be placed stating that the applicant could be required to install a grease interceptor in the future should the grease prove to be a problem.
Motion to approve waiver by Mr. Reed, with the stipulation that if the Public Works Department would require the installation of a grease interceptor in the future due to excessive grease, that the applicant would be required to install a grease interceptor or to cease serving food. Seconded by Mr. Leo.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

9-4-50
Matthew Kean
17103 Jessica Lane
Gretna NE 68028

REQUEST: Renewal of expired Journeyman’s license.

Matthew Kean appeared before the Board requesting reinstatement of his Journeyman plumber’s license. Mr. Miller stated that according to the file, Mr. Kean has not renewed his license since 2004.

Mr. Kean explained that he did not receive a renewal letter from the City for 2004. When his license was not renewed, his name was removed from the system. He received no letters after that time. Mr. Miller inquired as to why Mr. Kean had not contacted the City. Mr. Kean cited personal problems, and stated that contacting the City had not occurred to him. Mr. Kean has been working as a journeyman plumber without a license since 2005.

Mr. Miller read a statement from the Plumbing Board Secretary, citing that she had informed the applicant on March 24, 2009 that she was unable to renew his license due to the lapse in renewal, and that he would need to appear before the Board for reinstatement, or make an application to retake the Journeyman plumber exam.

Mr. Miller examined Mr. Kean’s continuing education hours for the period of 2004 through 2008. Although Mr. Kean did not have a license, he attended continuing education during these years, with a shortage in hours for 2004 and 2008. Mr. Kean completed twelve hours of continuing education for 2005; he requested that in addition to reinstating his license, the Board allow these extra hours to be dispersed so that his continuing education hours could be reconciled.

Mr. Leo and Mr. Miller inquired as to why Mr. Kean had not contacted the City sooner. Mr. Kean stated that he kept hoping to receive a renewal notice, and was unsure of what to do to resolve the situation; when no renewal notice came this year, Mr. Kean decided to contact the Plumbing Board Secretary.

Mr. Miller stated that he holds licenses in multiple cities, and if he were late in renewing one of his licenses, he would be required to retest. Mr. Miller restated his curiosity as to why Mr. Kean waited four years to contact the City.
Mr. Wonder stated that until 2007, the Plumbing Code stated that all licenses must be renewed by December 31 of each year, with a 30 day grace period in which to renew licenses. The Plumbing Board experienced a rash of cases requesting reinstatement in that year. At that time, the Board discussed whether or not these applicants were any less competent in the profession, despite the fact that they had not renewed their licenses in the time allowed. The Plumbing Code now allows a grace period through March 31st of each year. Mr. Wonder stated that the code does not require that an applicant appearing before the Board must retest the exam; however, the Board can vote to require Mr. Kean to retest. Mr. Wonder further explained that the code could be refined in future to be clearer; however, the Plumbing Division recommended that Mr. Kean’s license be reinstated at this time, subject to the quad fee required by the Plumbing Code. Mr. Miller stated his agreement with Mr. Wonder’s recommendation.

Mr. Miller stated that he would entertain a motion to reinstate Mr. Kean’s license; however, he would not support moving Mr. Kean’s continuing education hours. Mr. Miller suggested that the Board allow Mr. Kean additional time in 2009 to make up his missing three hours, as they have done with similar cases in the past year.

Motion by Mr. Leddy to give Mr. Kean until July 1, 2009 to make up his three missing hours of continuing education. Once these hours have been made up, Mr. Kean must reappear before the board in order to request reinstatement of his license. Seconded by Mr. Reed.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

REQUEST: Waiver of sections 49-634, 49-636, 49-501 and 49-516.

Ron Dudley appeared before the Board to request a waiver of various sections of the Plumbing Code. Mr. Wonder explained that the waiver in question involves the use of a steel-framed fabric building that will be installed over an area that is used for the repair of railway cars. This building will provide shelter from the elements for those working on the cars. Mr. Wonder had spoken to Mr. Dudley, and concluded that toilet facilities exist in the construction office trailer located just outside the work area. The water in this trailer is pumped in and is then pumped out at a later time. Mr. Wonder stated that these facilities could be used by the workers, and that bottled water would be required to be provided for the workers to prevent contamination.
Mr. Reed inquired as to whether this building is a permanent structure; Mr. Wonder stated that the company’s contract to repair the railway cars at this site is for a term of three years. Mr. Wonder stated that should this waiver be granted, that there should be a three-year restriction placed on it. If the company should extend their contract, they would need to reappear before the Board.

Mr. Dudley explained that the employees are currently working outside in all weathers, and this building will keep the workers out of the rain and snow. Mr. Dudley added that the trailer located outside the fabric building is heated, and has locker rooms, restrooms, telecommunications equipment, first aid equipment.

Mr. Miller inquired as to whether the building was currently in use. Mr. Dudley stated that the company has another job site nearby, and is planning to move into this area at the beginning of summer. Mr. Dudley requested that the waiver be granted for a period of three years, beginning on June 1, 2009. Mr. Miller stated that he had no objection to this proposed date.

Motion to approve a waiver of permanent restroom facilities at this job site by Mr. Leo, contingent upon the proposed job trailer being located just outside the fabric building as outlined. Water for drinking and the restrooms must be brought in and properly disposed of; the job trailer must also be climate controlled. This waiver will be for a period of three years beginning on June 1, 2009. Seconded by Mr. Wellendorf.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

Terry Vail
UNMC
987100 Nebraska Medical Center
Omaha NE 68198-7100

REQUEST: Approval of Instructors
Approval of one 3 hour continuing education class.

49-215

Terry Vail appeared before the Board, requesting approval of one 3 hour continuing education class. Mr. Vail also requested approval of his proposed instructors for this class.

Mr. Miller handed out to the Board members copies of the professional biographies that Mr. Vail submitted with his application.

Mr. Reed stated that Mr. Crawford appeared to be qualified to teach the proposed subject.

Motion by Mr. Leo to approve Rex Crawford as an Instructor in Backflow. Second by Mr. Reed.

AYES: Leddy, Leo, Miller, Reed, Wellendorf
Mr. Wonder stated that he had attended classes taught by Mr. Peters in the past, and would support his approval as an instructor.

Motion by Mr. Reed to approve Ron Peters as an Instructor in Backflow. Seconded by Mr. Wellendorf.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

Mr. Leddy inquired as to what subjects Mr. Chess was intending to teach. Mr. Vail replied that Mr. Chess would be covering on-site wastewater systems, swimming pools and biennial wells, the Property Transfer Inspection Program and the Illicit Discharge Program.

Motion by Mr. Reed to approve John Chess as an Instructor for swimming pools, spas and biennial wells. Seconded by Mr. Leddy.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

With all instructors now approved, the Board reviewed Mr. Vail's application for approval of one three hour continuing education class for Backflow Prevention.

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

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

REQUEST: Waiver of section 49-2046, Drainage of waste.
The Plumbing Board Secretary received notification from Mr. Fjare before the meeting that the project in question had been terminated.

Motion by Mr. Leddy to place this case on file. Seconded by Mr. Leo.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

V. Apprentice Renewals

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<thead>
<tr>
<th>Name</th>
<th>Company</th>
<th>Location</th>
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<tbody>
<tr>
<td>Ronald P. Evans</td>
<td>Morehead Plumbing, Inc.</td>
<td>Metro</td>
</tr>
<tr>
<td>Ryan T. Ferguson</td>
<td>Dave Janke Plumbing Inc</td>
<td>Metro</td>
</tr>
<tr>
<td>Christopher Griffith</td>
<td>Morehead Plumbing, Inc.</td>
<td>Metro</td>
</tr>
<tr>
<td>Michael Livingston</td>
<td>Morehead Plumbing, Inc.</td>
<td>Metro</td>
</tr>
<tr>
<td>Robert J Paltani</td>
<td>Dave Janke Plumbing, Inc.</td>
<td>Metro</td>
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Motion to approve the above-listed apprentice renewals by Mr. Leo. Seconded by Mr. Wellendorf.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

VI. Discussion

Mr. Wonder inquired whether the Board would like him to look into the Code’s language as regards reinstatement of license. The Board members agreed.

Mr. Reed inquired whether the Board needed to discuss the continuing education checklist supplied to them by the Board Secretary. The Board agreed to delay this discussion to allow the members to review the checklist and make notes.

VII. Adjourn

Motion to adjourn by Mr. Reed. Seconded by Mr. Leo.

AYES: Leddy, Leo, Miller, Reed, Wellendorf

Motion carried 5-0

Meeting adjourned at 2:24 PM