I. Roll Call
Members Present:
Brian A Barrett
Jeff O. Estabrook
George E. Killian
David W. Miller, Chairman
Christopher P. Reed
Terry Salem
Daniel J. Wellendorf

Members Absent:

Others Present:  Jim Wonder, Planning Department

After welcoming two new Board members, Brian Barrett and Terry Salem, Mr. Miller called the meeting to order at 9:00 am.

II. Approval of Minutes

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

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

Motion carried 7-0

III. *Examination Reviews
     Journeyman Plumber Examinations

Thomas P Callahan (PRESENT)  
3005 S 126 Plz. #9  
Omaha NE 68144  

Francis E Golwitzer (PRESENT)  
16301 Loop St  
Omaha NE 68136  

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

Christopher J Jensen (PRESENT)  
3622 S 46 Av  
Omaha NE 68106  

Cameron M Kunik (PRESENT)  
103 S 2 St  
Kimballton IA 51543  

Tracy L McHenry (PRESENT)  
6540 Franklin St  
Omaha NE 68104  
Timothy J Nelsen (PRESENT)  
3021 Huntington Av  
Omaha NE 68112  

Jason D Pedersen (PRESENT)  
2709 Edwards St  
Bellevue NE 68005  

Jason A Watkins (PRESENT)  
4401 Barker Ave  
Omaha NE  68105  

Master Plumber Examinations

Scott Distefano (PRESENT)  
7315 N 36 Av  
Omaha NE 68112  

Michael S Luty (PRESENT)  
2718 N 124 Circle  
Omaha NE 68164  

John Wayne Miller (PRESENT)  
2921 S 30 St  
Omaha NE 68105  

Brandon J Pokorski (PRESENT)  
4503 S 38 St  
Omaha NE 68107  

John P Vincentini (PRESENT)  
6411 McKinley St  
Omaha NE 68152  

Sewer Layer Examinations

Jeremy Van Ampting (ABSENT)  
3300 N 155 St  
Lincoln NE 68527  
## IV. *Cases*

**10-6-71 From 6/9/2010**

<table>
<thead>
<tr>
<th>Plumbing Board Page 3</th>
<th>June 23rd, 2010</th>
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<tbody>
<tr>
<td>Barney Whatley</td>
<td>Nebraska Rural Water Association</td>
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<tr>
<td>3390 Ponderosa St</td>
<td>3390 Ponderosa St</td>
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</tbody>
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| Wahoo NE 68066        | N
|                       | 49-215           |

**REQUEST:** Approval of Provider  
Approval of Instructor  
Approval of CEU Class

**6/9/2010:**

The Board Secretary received a request from Mr. Whately that this case be held over to the June 23 meeting of the Board.

Motion to hold this case over to the June 23 meeting of the Board by Mr. Leddy. Second by Mr. Leo.

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

Motion carried 7-0

**6/23/2010:**

Barney Whatley appeared before the Board to request approval of a continuing education class. Mr. Whatley has been given Board approval in the past for his backflow classes.

**Motion** to approve Nebraska Rural Water Association as a Provider for backflow by Mr. Reed. Second by Mr. Killian

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

Motion carried 7-0

The Board reviewed Mr. Whatley’s qualifications. Mr. Wonder confirmed that Mr. Whatley has given Board-approved backflow classes, and recommended that Mr. Whatley be approved as an Instructor.

**Motion** to approve Barney Whatley as an Instructor for backflow prevention by Mr. Reed. Second by Mr. Killian.

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

Motion carried 7-0

The Board reviewed Mr. Whatley’s proposed materials and agenda. Mr. Whatley confirmed that this class has been approved by the State of Nebraska for six hours of credit. Mr. Wonder recommended that the Board approve this class for four hours of continuing education credit.

**Motion** to approve a four hour continuing education class as submitted by Mr. Reed. Second by Mr. Killian.

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

ABSTAIN: Estabrook

Motion carried 6-0-1
10-6-72
Bill Condon
Jensen Well Company
767 Iowa St
Blair NE 68008

REQUEST: Waiver to allow the replacement of an existing well.
Location: 7736 Rainwood Road
49-1510

Bill Condon with Jensen Well Company appeared before the Board. Mr. Wonder stated that application is for replacement of an existing well on this property. Neither MUD nor the Douglas County Health Department opposed this replacement well. Mr. Wonder stated that the Plumbing Division had no objection to this well, provided that the homeowner be required to tie into municipal water when and if it becomes available. Mr. Miller concurred.

Motion to approve waiver for domestic use only by Mr. Reed. Should municipal water become available, the homeowner is required to disconnect the well and tie into MUD’s water supply and pay all associated fees. Second by Mr. Killian.

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

ABSTAIN: Estabrook

Motion carried 6-0-1

10-6-73
Rick Volk
Morrissey Engineering
4940 N 118 St
Omaha NE 68164

REQUEST: Waiver of Table 1, Note 4, assembly of more than one thousand (1000)
Location: 2606 Hamilton St (Blackburn High School)
Table 1, Note 4

Carlos Cabrera with Holland Basham Architects and Rick Volk with Morrissey Engineering appeared before the Board. Mr. Volk stated that his company is currently involved in the renovation of the stadium at Blackburn High School. Omaha Plumbing Code requires a total of seven drinking fountains. Mr. Volk stated that the stadium restroom area currently has two drinking fountains. Two additional drinking fountains will be installed at the stadium; Mr. Volk requested a waiver to allow that the concession stand be allowed to make up for the three remaining required drinking fountains. The concession stand will offer free drinking water to the public.

Mr. Miller stated that he would request that the waiver, if granted, be worded to require that the concession stand provide free drinking water to the public. Mr. Miller stated his fear that the concession stand would cease to provide free drinking water to the public without such a stipulation. Mr. Wonder stated that a similar waiver exists at Rosenblatt stadium.

Motion by Mr. Killian to grant waiver with the stipulation that the concession stand must provide a courtesy cup and free drinking water from behind the concession stand to any customer that requests it if they do not wish to use the drinking fountain. Second by Mr. Salem.

AYES: Killian, Miller, Salem, Wellendorf

NAYS: Barrett, Estabrook

ABSTAIN: Reed

Motion carried 4-2-1
Kevin Burns appeared before the Board to request additional time to complete eight hours of continuing education for 2009. Under the requirements of the 2010 Omaha Plumbing Code, Mr. Burns is required to complete an additional four hours of continuing education for each year that he is short on hours.

After review of Mr. Burns’ records, Mr. Estabrook made a motion to grant Mr. Burns until December 31, 2010 to complete a total of 20 hours of approved continuing education. Second by Mr. Wellendorf.

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

Motion carried 7-0

Jim Brunner appeared before the Board for Steve Bliss. Mr. Bliss is working in South Dakota for General Excavating until the end of August. Mr. Bliss received his sewer layer’s license in 2002. Mr. Bliss has taken no continuing education hours since the issuance of his license; he is missing a total of twenty continuing education hours. After adding the penalty as listed in section 49-215 of the 2010 Omaha Plumbing Code, Mr. Bliss would be required to make up a total of 26 hours if this extension is granted.

Mr. Barrett asked if perhaps Mr. Bliss has been working out of state since 2002. Mr. Brunner replied that his company works primarily in the Lincoln area, and his employees may have been unaware that continuing education hours were required.

Mr. Wonder spoke to the Board regarding their options for dealing with this case, including holding a hearing for suspension/revocation, waiving the delinquent hours, and allowing the license to lapse, which would allow Mr. Bliss to make an application to retest in the spring.

Mr. Salem remarked that it appeared that Mr. Bliss does not take the continuing education requirements seriously. Mr. Brunner stated that it might be two years before Mr. Bliss is sent to work on an Omaha jobsite again. Mr. Salem replied that the Board does not wish Omaha to be a place where a person goes to pick up work and then leaves. Mr. Killian inquired whether Mr. Bliss holds licenses in other states. Mr. Brunner replied in the negative. Mr. Wonder explained that very few other jurisdictions have licensing for sewer layers.

Mr. Miller stated his opinion that the Board should grant Mr. Bliss until December 31, 2010 to complete his missing continuing education hours. Mr. Wonder concurred with Mr. Miller.

Motion by Mr. Estabrook to grant Steve Bliss until December 31, 2010 to complete 26 hours of approved continuing education. Second by Mr. Barrett.

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

Motion carried 7-0
REQUEST: Request to allow additional time to complete 2009 continuing education requirements. (Jim Oldfield)

Jim Brunner appeared before the Board for Jim Oldfield. Mr. Oldfield is working in South Dakota for General Excavating until the end of August. Mr. Oldfield received his sewer layer’s license in 2004. Mr. Oldfield has taken no continuing education hours since the issuance of his license; he is missing a total of twenty continuing education hours. After adding the penalty as listed in section 49-215 of the 2010 Omaha Plumbing Code, Mr. Bliss would be required to make up a total of 26 hours if this extension is granted.

Motion by Mr. Estabrook to grant Jim Oldfield until December 31, 2010 to complete 26 hours of approved continuing education. Second by Mr. Wellendorf.

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

Motion carried 7-0

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

Sarah Homier appeared before the Board to request a waiver of exterior grease interceptor. Ms Homier is planning to open a pizza restaurant. She submitted for the Board’s review specs of her proposed deck oven, noting that this model does not have a grease trap. Ms. Homier added that the pizza restaurant will use pre-cooked meats. All plates, utensils and napkins will be disposable, and pizza trays will be wiped down between uses to preserve seasoning on the pans.

Mr. Barrett raised a concern that the restaurant may change its menu after opening. Ms Homier replied that this restaurant is part of a larger franchise, and the menu is pre-set by the company. She cannot make changes to it.

Motion by Mr. Reed to approve waiver of exterior grease interceptor for this restaurant at this location only. If there is a change in the business’ menu, they must reappear before the Board. Second by Mr. Killian.

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

Motion carried 7-0
REQUEST: Waiver of section 49-522, pipe and valve identification

Location: 1200 Mike Fahey St (Downtown Stadium) 49-522

John Dineen appeared in lieu of Bruce Carpenter for HDR Architecture Inc to request a waiver of section 49-522, pipe and valve identification at the downtown baseball stadium.

Mr. Miller inquired whether the owner would be willing to place the pipe identification on the top of the pipe, where it would not be visible to the public. Mr. Dineen stated that this solution would be acceptable to the owner.

Motion by Mr. Estabrook to allow pipe identification on the top of horizontal piping, and in the least conspicuous location for any vertical piping at this location. Second by Mr. Salem.

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

Motion carried 7-0

REQUEST: Waiver of 49-1210(e), overflow drains and scuppers

Location: 111 N 84 St (Children’s Hospital) 49-1210(e)

Tim Willoughby with HDR Architecture Inc appeared before the Board to request a waiver of section 49-1210(e), overflow drains and scuppers. Mr. Willoughby explained that the drains in question are located at the Children’s hospital; he submitted pictures of these drains for the Board’s review. The piping for these drains are near a stairwell, HDR proposes to install the overflow drains at ceiling height in order to keep the piping out of the stairwell, due to space constraints. Mr. Willoughby commented that these drains are for overflow only.

Mr. Miller asked for the Plumbing Division’s opinion on this waiver. Mr. Wonder replied that the Plumbing Division had no opposition to this waiver, due to the fact that there is a hardship proven in attempting to install these overflow drains as per Plumbing Code requirements.

Motion by Mr. Reed to approve waiver of eighteen inches above grade requirement. Second by Mr. Killian

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

Motion carried 7-0
REQUEST: Waiver of section 49-1518, water service
Location: 11201 Calhoun Rd

Madeline Petrocchi and Todd Menard appeared before the Board to request a waiver of section 49-1518, water service. Mr. Miller read from the application file that Ms. Petrocchi is a retired teacher on a fixed income. She is building a home, and cites cost as a hardship to the installation of a traditional copper water service line.

Mr. Wonder stated that the Plumbing Division is opposed to this waiver, due to the fact that this property will utilize MUD water. Previous waivers have been granted to Mr. Menard in the past; however, these waivers were due to the fact that the properties were supplied by the Papio Natural Resources District, which is an entirely plastic system. MUD’s rules do not allow for plastic to be connected to their water service, nor does the Omaha Plumbing Code allow the use of plastic water supply lines.

Mr. Reed inquired as to the material Mr. Menard intends to use for the water supply line to this property should a waiver be granted. Mr. Menard stated that he intends to use HDPE plastic piping from the meter pit to the house. Mr. Miller inquired as to what hardship prevented the installation of the water service for this property as per the Omaha Plumbing Code. Mr. Menard stated that the hardship was the cost involved.

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

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

Motion carried 7-0

REQUEST: Waiver of fixture count requirement
Location: 8025 Maple St

Kevin D McNear Sr., owner, and Chuck Leo, Micro Plumbing appeared before the Board to request a waiver of fixture count requirement. Mr. McNear is in the process of opening a child care center at 8025 Maple Street.

Mr. Leo stated that the original contractor mislead Mr. McNear and is no longer involved in this project. This contractor has gone out of business and left Mr. McNear with a lot of problems to correct. Micro Plumbing has been called in to correct the problems left behind by the original contractor.

Daycares are required to have separate restroom facilities for staff and children. However, due to space constraints, this daycare center has no separate restroom facilities for staff. Mr. Wonder inquired whether any of the water closets in these restrooms were sized for juveniles. Mr. McNear replied that his child care facility will serve up to seventy children between the ages of four and twelve; he is not required to have juvenile sized water closets. The ratio of staff to children is 1:15. Separate staff facilities are required for businesses serving children over the age of six.

Mr. Reed added that according to the submitted plans, Mr. McNear has the more than required number of fixtures for the occupancy of the space – he just doesn’t have separate restroom facilities for staff members. Mr. Leo stated that at this time, the space has already been finished – to require Mr. McNear to create a separate staff restroom would require a large amount of demolition, would incur great expense, and would prevent him from opening for business.
Mr. Salem inquired whether the lack of separate restrooms would be objected to by the Health Department. Mr. Wonder replied that the Health Department would allow the restroom to be used by both staff and children. Mr. Salem stated. Mr. Salem raised a concern about children being alone in restrooms with staff members. Mr. Leo replied that there is one restroom for each sex, and both restrooms have partitions between water closets. He asked that the Board allow for the fact that this is a unique situation; Micro Plumbing is cleaning up existing mistakes made by another contractor. Mr. Wonder stated that based on the circumstances of this situation, and given the size of this business and the nonexistent potential for Mr. McNear to expand his space, the Plumbing Division had no objection to this waiver.

Mr. Barrett stated his opinion that Mr. McNear should be required to provide separate restroom facilities for staff and children as required by Code. Mr. Salem restated his concern about children and adults being allowed to use the same restroom. Mr. McNear stated that as a foster parent, he is very conscious of safety. The daycare facility will utilize cameras in the sleeping rooms, extra lighting, and an open-floor concept. He stated that his staff will be accountable for their time, and there is no situation where an adult will be left alone with children. Mr. McNear stated that safety is his main concern, citing the unsatisfactory experiences he had while looking for a daycare facility for his children when they were young as the reason for his caution and attention to detail. Mr. Barrett inquired why Mr. McNear would request that his staff be allowed to use the same restroom as the children if he were as safety conscious as he claims to be.

Mr. Leo stated that the requirement for separate facilities for staff and children is part of the Plumbing Code, and is not required by the Health Department or the state, which monitor and license daycare facilities. If either of these entities felt that allowing staff and children to use the same restroom facilities was a safety issue, it would be a part of their regulations. Mr. Wonder stated that if this facility were just in the beginning of construction, the Plumbing Division would object to the waiver and require Mr. McNear to install separate facilities for staff members. Mr. Miller stated his belief that Mr. McNear was the victim of a bad contractor. Mr. Leo estimated that the cost to install a separate restroom facility for staff members would cost Mr. McNear an additional six thousand dollars due to the large amount of demolition that would have to be done in order to run a line to the staff restroom. This would put Mr. McNear out of business.

Mr. Miller restated his belief that Mr. McNear was taken for a ride by a shoddy contractor, and recommended that the Board grant him a waiver. Mr. Barrett countered that he would understand if this were an existing space that was being readapted; however, Mr. McNear’s contractor did the work without taking out the necessary permits. Mr. Miller inquired whether Mr. McNear’s original contractor had stated in his bid that he would handle taking out permits. Mr. McNear stated that this project has been going on for some time – he could not recall if taking out permits was included in his original contractor’s bid. Mr. Salem stated that due to the fact that Mr. McNear is now attempting to correct the mistakes left behind by his contractor, he was willing to grant a waiver for the separate staff restroom facilities.

Motion by Mr. Wellendorf to approve a waiver of separate staff facilities for this business and this occupant only. If Mr. McNear’s facility changes the age group that it serves, Mr. McNear must reappear before the Board. Second by Mr. Killian.

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

Motion carried 7-0
REQUEST: Waiver of section 49-636 Table 9 Note 2  
Location: 4819 ½ S 24 St  
49-636 Table 9 Note 2

Paxton Rennsch appeared before the Board to request a waiver of section 49-636 Table 9 Note 2. Mr. Rennsch stated that he owns a rooming house on South 24th Street. The house has fourteen rooms for rent. Mr. Rennsch inherited responsibility for the rooming house after his mother passed away. He is currently in the process of remodeling the rooming house and correcting code violations.

Mr. Rennsch is required to install two additional washing machines in the house for tenant use in order to be in compliance with the Omaha Plumbing Code.

Mr. Rennsch explained that there are rarely more than ten of the fourteen rooms rented at any time. The rooms are single occupancy only; tenants share the common areas of the house. There is currently one washer and dryer available for tenant use. Mr. Rennsch states that the washer and dryer are not used very often – he collects approximately one hundred dollars between the two machines per month. Mr. Rennsch stated that there isn’t enough demand to warrant the installation of another washing machine and dryer. Mr. Rennsch concluded that he had never received any complaints from tenants about only having one washer and dryer.

The Board reviewed Mr. Rennsch’s submitted plans. Electrical panels and household doors prevent Mr. Rennsch from installing an additional dryer in its current location. Mr. Killian inquired as to the general length of stay of a tenant. Mr. Rennsch stated that the rooming house charges rent on a weekly basis. Some tenants have lived in the house for years; others stay only a short time and then move on. Mr. Rennsch stated that they generally have a few more tenants during the winter months.

The Board discussed various alternative placements of additional washing machines and dryers. Mr. Reed commented that the code makes no mention has to the number of dryers that must be installed in this location. Mr. Killian suggested that Mr. Rennsch remove the wash sink in the kitchen and install a second washing machine in its place. Mr. Rennsch stated that there was only one washer box in this location; he suggested installing a splitter and stated that he would install front loading washing machines which would use less water. Mr. Miller stated that he would need to use the water supply from the wash sink for the second washing machine.

Motion by Mr. Killian to allow the waiver of one washing machine at this location. Mr. Rennsch must provide two washing machines at this location for tenant use.

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

Motion carried 7-0

V. Discussion

- The Board discussed the 2009 CEU make-up class held yesterday. Mr. Wonder suggested holding a special meeting of the Board during the evening. This meeting would be for the purpose of dealing with those people who did not attend the makeup class, but are still missing continuing education hours. The Board agreed to this proposition. Mr. Wonder and the Board Secretary will arrange a meeting time and place and notify the Board members to ensure a quorum.
VI. Adjourn

Motion to adjourn by Mr. Wellendorf. Second by Mr. Killian.

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

Motion carried 7-0. Meeting adjourned at 10:22 AM

* = 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 at 1:30pm on Wednesday, July 14th, 2010 are due no later than 9:00am on Thursday, June 24th, 2010.

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

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