I. Roll Call  
Members Present:  
Brian A. Barrett  
Jeff O. Estabrook, Vice-Chairman  
Brian Feyerherm  
David W. Miller, Chairman  
Christopher P. Reed  
Terry Salem  
Amy Schaap  

Others Present:  
Allen Brown, Douglas County Health Department  
Jim Wonder, City of Omaha Planning Department  

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

II. Approval of Minutes from October 14, 2015  

Motion by Mr. Estabrook to approve the minutes from the October 14, 2015 meeting. Second by Mr. Salem.  

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

Motion carried: 7-0  

III. *Cases  

15-10-134 Held over from 10/14/2015  
John Redfern  
22612 Homestead Road  
Elkhorn NE 68022  

REQUEST Waiver as regards privies, cesspools prohibited private sewer connections generally  

Location: 2505 N 88 Street  
49-2103  

10/28/2015  

John and Deanna Redfern reappeared before the Board requesting a waiver for a private septic system. Mr. Redfern stated his hardship is the costs he will incur by either hooking onto the sanitary sewer or doing a directional bore. On 10-14-2015, the Board asked Mr. Redfern to do more research on the costs to do a directional bore. Mr. Redfern stated the directional bore would be approximately $6,000-8,000, but the overall costs including street work would be about the same totaling $35,000 which would be no cheaper than hooking onto the sanitary sewer. Mr. Redfern stated he wants to provide affordable housing but would never be able to recoup the cost of these improvements. Mr. Redfern reiterated that his property is worth $80,000. Mr. Barrett asked if the septic on 2507 N 88 Street is working. Mr. Redfern stated the 2507 N 88 Street septic is working. It is the 2505 N 88 Street septic that needs fixed. Mr. Redfern stated the bid for fixing the one septic would run $6,000, and a common septic would run $10,000. Mr. Redfern stated that one of the problems is the depth needed to do the work. Additional shoring, additional equipment, additional people is what is driving this cost up. Mr. Barrett stated that this is an estimate which could potentially increase once the contractor starts the project.
Mr. Reed asked Mr. Brown if the Health Department is opposed. Mr. Brown stated that the Douglas County Health Department opposes this waiver, but they would defer to the Plumbing Board. If the Board accepts this waiver, the Health Department would approve a septic for this property if all the requirements are met. Mr. Brown did state that the shed on the property would need to be removed because that is where the lateral would have to be located, and the trees on the property would need to be trimmed back. Mr. Estabrook asked Mr. Brown if the Health Department is okay with two houses on one septic. Mr. Brown stated the Health Department would be okay with that due to the lack of space. Mr. Reed asked Mr. Wonder if the City is okay with this waiver. Mr. Wonder stated the City is okay with the decision of the Plumbing Board.

Mr. Reed made a motion to allow the waiver at 2505 N 88 Street to install a single septic system for the two houses on the single lot with the stipulation that the shed be removed and the trees be trimmed back per the approval of the Health Department. Second by Mr. Salem.

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

Motion carried: 7-0

10-14-2015

Mr. John Redfern appeared before the Board requesting a waiver regarding a private septic system. The septic system has failed, and Mr. Redfern is requesting installation of a new septic system. The water is currently shut off, and this house is empty. The depth of the sanitary sewer is 18’6.” Mr. Redfern stated he received a bid of approximately $35,000 to connect both 2505 and 2507 North 88 Street to the sanitary sewer. Mr. Redfern stated his concern regarding low-hanging electrical lines and utilities being a concern for the equipment that will need to be used to complete this project. Another concern is shutting the street down for approximately four days to complete the work per the bid. Mr. Wonder stated he visited the property, and both 2505 and 2507 are on a single lot. Mr. Wonder suggested a directional bore be done between the two houses with a simple cleanout instead of a manhole which would lessen the cost and be considered a private sewer. Mr. Wonder also stated that the trees on this property are an issue regarding a septic system also. Mr. Barrett asked Mr. Redfern if he had the cost of a new septic system. Mr. Redfern stated $6,000-8,000. Mr. Redfern does not have an estimate for directional boring.

Mr. Allen Brown stated that the Douglas County Health Department objects to the approval of a new septic system. Mr. Wonder stated the City would allow North 88 Street to be shut down from Lake Street to Maple Street for five days. Mr. Barrett and Mr. Miller would like Mr. Redfern to check into more information for directional boring and an estimate. Amy Schaap suggested holding these two cases over to the next Plumbing Board meeting.

Motion by Mr. Estabrook to hold case 15-10-134 over until October 28, 2015 Plumbing Board meeting. Second by Mr. Salem.

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

Motion carried: 7-0
15-10-135 Held over from 10/14/2015
John Redfern
22612 Homestead Road
Elkhorn NE 68022
REQUEST Waiver as regards privies, cesspools prohibited private sewer connections generally
Location: 2507 N 88 Street 49-2103

10/28/2015
Mr. Reed made a motion to allow the waiver at 2507 N 88 Street with the same stipulations as Case #15-10-134, i.e. to install a single septic system for the two houses on the single lot with the stipulation that the shed be removed and the trees be trimmed back per the approval of the Health Department  Second by Mr. Salem.

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

Motion carried: 7-0

10/14/2015
Motion by Mr. Estabrook to hold case 15-10-135 over until October 28, 2015 Plumbing Board meeting. Second by Mr. Salem.

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

Motion carried: 7-0

15-10-137
Brett Petersen – Mack McClain & Associates
4850 S 137 Street
Suite E
Omaha NE 68137
REQUEST Renewal of Continuing Education Provider & Approval of Continuing Education Class(es)

Mr. Brett Petersen appeared before the Board requesting renewal of continuing education provider for Mack McClain & Associates and approval of classes for masters and journeymen, in addition to lawn sprinkler contractors and installers.

Mr. Petersen stated Mack McClain has been a provider for continuing education in the past. Mr. Estabrook made a motion to approve Mack McClain and Associates as a continuing education provider. Second by Mr. Salem.

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

Motion carried: 7-0

Mr. Petersen requests approval of instructor for journeymen and master plumbers. Mr. Petersen was previously approved on 1-14-2015 as an instructor for lawn sprinkler contractors and installers.

Motion to approve Brett Petersen as a backflow continuous education instructor by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried: 7-0
No motion was required for Mr. Petersen’s class; it was already approved through Mr. Jack Miller of Winnelson.

Rory Sherman – United Distributors
13336 Industrial Rd #106
Omaha NE 68137

REQUEST Approval of Continuing Education Provider & Renewal of Instructor and Continuing Education Class(es)

15-10-138

Mr. Rory Sherman appeared before the Board requesting renewal of United Distributors as a continuing education provider. They have been approved in the past.

Mr. Estabrook made a motion to approve United Distributors as a continuing education provider for 2015-2017. Second by Mr. Salem.

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

Motion carried: 7-0

Mr. Sherman is requesting renewal as a continuing education instructor. He has been approved in the past.

Mr. Estabrook made a motion to approve Mr. Rory Sherman as a continuing education instructor for 2015-2017. Second by Mr. Salem.

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

Motion carried: 7-0

Mr. Sherman requested approval of continuing education classes regarding water fundamentals. He is requesting 3 credit hours for journeymen, masters, water conditioning contractors and installers.

Mr. Estabrook made a motion to approve Mr. Sherman’s classes for 3 credit hours for journeymen, masters, water conditioning contractors and installers. Second by Mr. Salem.

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

Motion carried: 7-0
Mr. and Mrs. Mark Rathjen appeared before the Board requesting a waiver regarding fixture requirements. The property under subject is Core Physical Therapy & Sports Performance. Mr. Estabrook stated that the City classified this business as an exercise room during plans examination. Mr. Rathjen stated this is a physical therapy facility. The patient must be referred by a doctor for rehab and is required to have an appointment. The space is 3771 square feet and maximum capacity is four providers and four patients with two support staff. The Board discussed how many fixtures would be necessary as an exercise room versus medical facility. Mr. Wonder asked the Board what parameters constitute an exercise room versus a medical facility. Mr. Wonder stated that the Board is beginning to define the classifications. Amy Schaap stated that there is an occupancy for what a space can hold by square footage, and there is an occupancy for what the space will actually be used for. She feels the Board needs to look at that because of the staff to patient ratio. Mr. Wonder asked how many staff they have, and Mrs. Rathjen stated two. Mr. Wonder asked how many staff they could have in the future, and Mrs. Rathjen stated there is one office and three exam rooms. Mr. Reed stated to Mr. and Mrs. Rathjen that the Board is looking at the maximum capacity to figure out fixture counts. Mr. Salem asked Mr. Rathjen if they will be hiring in the future. Mr. Rathjen stated that is a possibility, but the maximum number would be a total of four therapists.

Mr. Wonder stated that as opposed to a waiver regarding fixture count, the Board would have to waive the classification of the space. Mr. Reed stated if this space is classified as a rehab facility, the fixture count is good. He suggested the Board do a little more research on how rehab facilities should be treated and discuss this at a later date.

Motion by Mr. Reed to change the occupancy of this business at this facility to medical office for the purpose of fixture count. Second by Amy Schaap.

AYES: Barrett, Feyerherm, Miller, Reed, Salem, Schaap
ABSTAIN: Estabrook
Motion carried:  6-0-1

No one was present to discuss this case.

Motion by Mr. Estabrook to hold this case over until November 4, 2015. Second by Mr. Salem.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap
Motion carried:  7-0
Lawrence Butler
4803 Northwest Radial Highway
Omaha NE 68104

REQUEST Waiver as regards Unisex Toilet Rooms

Location: 4809 Northwest Radial Highway

10/28/2015

Mr. Lawrence Butler appeared before the Board requesting a waiver regarding a unisex toilet. Property under subject is the LIC, Local Ice Creamery at 4809 Northwest Radial Highway. Mr. Butler stated this bathroom is currently 5’x7’ and the room is 10’x12’ and will not accommodate full men’s and women’s restrooms. Mr. Butler stated that there is one restroom in 4809 Northwest Radial Hwy and one restroom in 4811 Northwest Radial Hwy. Mr. Butler stated he had received a waiver on March 26, 2014, Case 14-3-67, for 4811 Northwest Radial Highway. This was a small grocery store. He did not request a waiver for both addresses back then because 4809 was occupied. It is now vacant.

Mr. Reed stated there are a few problems with this request. The first item is a seating area in the ice cream shop. The Code does not allow a unisex restroom where food and drink are served, nor would it allow a unisex restroom without a urinal. Mr. Brown stated because 4809 is an eating and drinking facility, the Health Department does not allow a customer to go through a food prep area to use the restroom. Therefore, the restroom with the three-compartment sink now becomes an employee-only restroom. Mr. Butler stated he plans to add a fire door to separate the two business for electrical purposes. There is a hand sink on the ice cream side but no three-compartment sink. Mr. Wonder stated the City feels it should have two separate bathrooms for the two separate businesses. There is a difference in elevation regarding the two businesses to take into account with the plumbing also. Mr. Wonder stated the City is not in favor of this waiver. The Board discussed with Mr. Butler that some reconfiguring the layout would need to be done so the public does not travel through the food prep area and three-compartment sink area.

Mr. Reed read the waiver from 3/26/2014 regarding 4811 Northwest Radial Highway: “Mr. Lawrence Butler appeared before the Board requesting a waiver regarding restrooms for both sexes. Mr. Butler stated the property dates back to 1925 where one restroom was allowed and feels this should be grandfathered in based on no change to the building occupancy. Space limitations do not allow for two restrooms. The Board stated that ADA requirements cannot be waived. This space is 686 sq ft and currently vacant. This will be a convenient/grocery store selling packaged retail food. The plumbing is there but the walls do not exist at this time. Mr. Reed made a motion to allow the waiver for this business in this location to allow a unisex restroom without a urinal provided the restroom is handicap-compliant or some other accommodations be made with the City building inspectors. Motion carried 6-0.”

Mr. Reed stated that this older motion in 2014 was passed with the stipulation based on no change to the building occupancy. Mr. Reed stated now the occupancy is changing.

Mr. Estabrook made a motion to deny this waiver. Second by Mr. Salem.

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

Motion carried: 7-0
Lawrence Butler  
4803 Northwest Radial Highway  
Omaha NE 68104  

REQUEST Waiver as regards Grease Interceptors  
Location: 4809 Northwest Radial Highway  
49-1105

Mr. Butler is requesting a waiver regarding a grease interceptor at 4809 Northwest Radial Highway. Mr. Butler stated no grease will be created at this business which will be an ice cream shop. The Board agreed that a grease interceptor is not needed for this type of business.

Motion by Mr. Reed to waive the requirement for the grease interceptor for the proposed ice cream shop at this location. Second by Mr. Salem.

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

Motion carried: 7-0

Aaron Bartek – Traco Inc  
1901 South 6 Street  
Omaha NE 68108  

REQUEST Waiver as regards Fixture Requirements  
Location: 1264 South 13 Street  
49-636

Mr. Aaron Bartek and Ms. Angela Dunne appeared before the Board requesting a waiver regarding an additional water closet. Ms. Dunne stated they would have to eliminate the communications room to make more room for the water closet which she does not feel is needed. There will only be six occupants in the new law office. Ms. Dunne stated this is an expansion of the law office at 1266 South 13th Street where most of the support staff will be located. Mr. Bartek stated this is a full renovation of a 123-year-old building. The building is presently gutted with the exception of the staircase.

The total square footage is 1959 gross and 1600 net. Mr. Bartak stated at 1600 net that would calculate out to 10 occupants which was the original plan. Mr. Bartak stated the City calculated at gross which would put it at 12 occupants. Mr. Bartak stated the plan has four offices with four attorneys and two paralegals. The plan shows one women’s restroom and one man’s restroom with one water closet each and one lavatory each. Mr. Reed asked what the net square footage eliminates. Mr. Bartak stated it eliminates the staircase and corridors. Ms. Dunne stated there are four attorneys with potentially four clients and two support staff. They prefer to spread out the appointments for privacy reasons so the occupants would likely be less than ten. Mr. Reed stated they are one men and one women water closet over, but if the corridors and stairs were eliminated, the fixture count would be good. Amy Schaap inquired about the east wall being flush with the communications room, but Mr. Bartak stated it is due to the location of the electrical panel.

Motion by Mr. Reed to waive the square footage of the stairways in this space to allow the calculation to represent 10 people in the space so that the fixture count as shown is acceptable to Code. Second by Mr. Salem.

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

Motion carried: 7-0
Mr. Jeff Davis and Mr. Dennis Coudriet appeared before the Board requesting waivers regarding fixture requirements; travel distance; and 3-compartment sink requirement. The property under subject is Saint John Paul II Newman Center at 1221 S 71 Street. This is a residence hall to be used by UNO students but it is not UNO property; it is private property of the Archdiocese of Omaha.

Mr. Coudriet stated that each of the floors consist of suite-style apartments with a kitchen and restroom, a lounge, a study, a small prayer room, and laundry room; the lounge being the biggest space. The lounges (and other incidental spaces) are less than 10% of the floor square footage. These rooms will be separated by men’s and women’s. For every two students, there will be one plumbing fixture on each floor. There is card access to enter each of these floors. As far as the distance issue, the distance is 290 feet compared to 200 feet that the Code requires. The age of the residents will be 18-22 year-olds. There are public restrooms on the main floor.

There is also an oratory which is basically to be used as a chapel for the residents of the building, not weekly Sunday church services. Occupancy numbers were based on the number of beds in the residence hall when figuring the fixture count at 164. If the oratory was classified as a church, then additional fixtures would be warranted. The Archdiocese has explicitly stated that the worship space be an oratory and not a church. This hall is for undergraduate students only; there will be no married or family apartments. Mr. Reed stated that the chapel occupancy count is based on 18” on the pews. Discussion ensued on whether this is a realistic measurement.

Mr. Reed made a motion to waive the public restrooms on the upper floors in the residence hall portions of the building. Second by Amy Schaap.

AYES: Barrett, Feyerherm, Reed Schaap
NAYS: Estabrook, Miller, Salem
Motion carried: 4-3

Mr. Brown stated that since the student kitchen is not open to the public, the Health Department will not regulate this. If there is catering, Mr. Brown stated a two-compartment sink is acceptable.

Mr. Reed made a motion to waive the three-compartment sink in the student kitchen on the first floor. Second by Amy Schaap.

AYES: Barrett, Estabrook, Feyerherm, Miller, Reed, Salem, Schaap
Motion carried: 7-0

Motion by Mr. Reed to allow the occupant count in the oratory be 180 people based on a 22” pew seating to allow the fixture count as shown. Second by Amy Schaap.

AYES: Barrett, Feyerherm, Miller, Reed, Salem, Schaap
NAYS: Estabrook
Motion carried: 6-1
IV. **Apprenticeship Program Agreements**

15-10-145
A&A Plumbing & Drain Service Inc  
13418 Shirley Street  
Omaha NE 68144  
REQUEST  
49-244

Mr. Estabrook made a motion to approve A&A Plumbing & Drain Service Inc for the City of Omaha Apprenticeship Program. Second by Mr. Salem.

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

Motion carried: 7-0

V. **Apprenticeship Agreements**

Nicholas Randels  
220 N 1st Street  
Springfield NE 68059  
A&A Plumbing & Drain Service Inc  
13418 Shirley Street  
Omaha NE 68144

Mr. Nicholas Randels is requesting a 9/28/2015 start date. Mr. Miller stated documentation and ratios are in order.

Motion by Mr. Estabrook to approve Mr. Randels with a start date of 9/28/2015 for the Omaha Apprenticeship Program. Second by Mr. Salem.

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

Motion carried: 7-0

VI. **Journeymen Plumber Examination Applications**

Martin R Furmanski  
4868 S 50 Ave  
Omaha NE 68117  
Dave Janke Plumbing Inc  
15013 Grover Street  
Omaha NE 68144-3240

Mr. Furmanski is requesting approval to take the journeyman plumbing examination on November 2, 2015. Mr. Miller reviewed the file and commented that he has completed his on-the-job training hours and has completed his schooling.

Motion to approve Mr. Furmanski’s application to take the journeyman examination by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0
Mr. Johansen is requesting approval to take the journeyman plumbing examination on November 2, 2015. Mr. Miller reviewed the file and commented that he has completed his on-the-job training hours and has completed his schooling. Mr. Johansen holds a journeyman license with the City of Lincoln.

Motion to approve Mr. Johansen’s application to take the journeyman examination by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0

Mr. Norman is requesting approval to take the journeyman plumbing examination on November 2, 2015. Mr. Miller reviewed the file and commented that he has completed his on-the-job training hours. Mr. Norman has held a journeyman license with the State of Montana since 2010.

Motion to approve Mr. Norman’s application to take the journeyman examination by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0

Mr. Nowatzke is requesting approval to take the journeyman plumbing examination on November 2, 2015. Mr. Miller reviewed the file and commented that he has completed his on-the-job training hours and has completed his schooling.

Motion to approve Mr. Nowatzke's application to take the journeyman examination by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0
Mr. Smith is requesting approval to take the journeyman plumbing examination on November 2, 2015. Mr. Miller reviewed the file and commented that he has completed his on-the-job training hours and has completed his schooling.

Motion to approve Mr. Smith’s application to take the journeyman examination by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0

VII. Master Plumber Examination Applications

Cataldo A Leo
3716 S 119 Street
Omaha NE 68144

HSP Construction & Plumbing
3716 S 119 Street
Omaha NE 68144

Mr. Leo is requesting approval to take the master plumbing examination on November 2&3, 2015. Mr. Miller reviewed the file and commented that he has held a journeyman license within the City of Omaha since 5/28/1998.

Motion to approve Mr. Leo’s application to take the master examination by Mr. Estabrook. Second by Mr. Salem.

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

Motion carried 7-0

VIII. Sewer Layer Examination Applications (15)

Willie D Brye
4109 N 22 Street
Omaha NE 68110

Brye Services
4109 N 22 Street
Omaha NE 68110

Pedro DeLeon Jr
2110 Lake Street
Omaha NE 68110

Carmen’s Construction LLC
2110 Lake Street
Omaha NE 68110

Ryan Evans
Mr. Estabrook made a motion to approve the 15 applicants listed above to take the Omaha sewer layer examination. Second by Mr. Salem.

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

Motion carried 7-0

IX. Approval of Apprenticeship Renewals (2)

John P Herbert
Jason Smith

JP Plumbing Inc
Omaha Council Bluffs Plumbing

Metro
Holm Plumbing

Motion by Mr. Estabrook to approve John P Herbert’s apprenticeship renewal for 2015. Second by Mr. Salem.

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

Motion carried 7-0

Motion by Mr. Estabrook to hold over Mr. Jason Smith apprenticeship renewal for 2015 to the 11/04/2015 Plumbing Board meeting. Second by Mr. Salem.

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

Motion carried 7-0

Mr. Estabrook made a motion to request Scott Walter of Omaha Council Bluffs Plumbing attend the 11/04/2015 Plumbing Board meeting to discuss his apprenticeship program. Second by Mr. Salem.

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

Motion carried 7-0

X. Discussion

Mr. Wonder stated he has an affidavit concerning Justin Gray. The issue for asking for a revocation hearing at this time is that the inspector who wrote and signed the affidavit is going to be out of the office before we can have a hearing and will not be back to work until February 2016. The Board agreed to hold this over to the board meeting before the inspector returns.

XI. Adjournment

Motion to adjourn by Mr. Estabrook. Second by Mr. Salem. Meeting adjourned at 3:31 p.m.

*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

http://www.cityofomaha.org/planning/boards/plumbing-board