MINUTES
OMAHA PLUMBING BOARD
Regular Meeting – Wednesday, June 12, 2019
1:30 pm – City/County Building – 1819 Farnam Street
Jesse Lowe Conference Room – Third Floor

Board Members:
Brian A Barrett
Jeff O. Estabrook, Vice-Chairman
Steve Johnston
David W. Miller, Chairman
Christopher P. Reed
Terry Salem
Amy L. Schaap
Russell Hadan, Douglas County Health Department (non-voting)
Jim Wonder, Chief Plumbing Inspector, City Planning Department (non-voting)

A current copy of the Open Meeting Act is posted in a white binder on the north wall of the Jesse Lowe Conference Room. The secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on June 3, 2019.

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

I. Roll Call

Brian Barrett
Jeff Estabrook
Steve Johnston
David Miller
Christopher Reed
Terry Salem
Amy Schaap

Others Present:
Jim Wonder, Chief Plumbing Inspector
Jennifer Taylor, City Law – Arrived Late
Timothy Kerkhove, City Planner
Frank Reida, MEP Plans Examiner
Autumn Drickey, Board Secretary

II. Annual Review of Plumbing Board Responsibilities

Ms. Jennifer Taylor introduced herself. She explained the Mayoral Executive Order. She explained that she will go over it and then give them time to digest the information and ask any questions during the next meeting. She explained where the Plumbing Board gets their authority from, the state statute. She provided Chapter 49, Division 2 to the Board as well which is the local ordinance that governs this Board. She explained the purpose of the Board. She explained that if the Board wanted to enact a code change it would not go into effect until it were to go through City Council. She detailed the roles that the members will play on the Board. She pointed out that they are a Board governed by the Nebraska Open Meetings Act, detailing what that means. She explained why and when Executive Session is supposed to be used and that she will look into that for the future. She stated that they follow Robert’s Rules of Order. She stated that in looking at Policy and Procedures for the Board, particularly changes to an agenda. She explained that she would be working with the Chief Plumbing Inspector and Board Secretary to make sure that agendas are kept in compliance with state statutes. She explained that she plans on attending every other meeting.

III. Approval of Minutes from May 22, 2019

Motion by Mr. Jeff Estabrook to approve the minutes from the May 22, 2019 meeting. Second by Mr. Terry Salem.

AYES: Barrett, Estabrook, Reed, Salem, Schaap, Miller
ABSTAIN: Johnston

Motion carried: 6-0-1, Approved
Ms. Morgan Skogland appeared before the Board in regards to the above request at the above address. Mr. Miller read the request into the record. Ms. Skogland stated that they just moved in and had plans to build a guest house and want a well for that. She explained that they currently share a well with neighbors. Mr. Miller read the MUD recommendation into the record, they do not oppose the request. He stated there is nothing in the file from the Health Department in regards to this request. Mr. Estabrook asked about the shared well. Ms. Skogland stated that the shared well is on another neighbor’s property and there has been an agreement to share the well since the 1980s. Mr. Salem asked about the specifics of the well. Ms. Skogland explained that she doesn’t want to impose the use of a guest house on a shared well, but would also think it would be a good back-up plan. Mr. Estabrook asked if she has a contractor. Ms. Skogland explained.

Motion by Mr. Estabrook to approve the well waiver for residential use only with stipulation of no lawn sprinkler use. Second by Mr. Salem.

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

Motion carried: 7-0, Approved

Mr. Bill Condon appeared before the Board in regards to the above request at the above address. Mr. Miller read the request into the record. He read the recommendation from MUD into the record, they do not oppose the request. He stated Papio-Missouri NRD has no objection. He stated there was nothing from the Health Department. Mr. Condon stated it is a brand new home.

Motion by Mr. Estabrook to approve the well waiver for domestic house use only. Second by Mr. Salem.

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

Motion carried: 7-0, Approved

Mr. Bill Condon appeared before the Board in regards to the above request at the above address. Mr. Miller read the request into the record. He stated that the Papio-Missouri NRD has no objection. He stated that MUD has no objection.

Motion by Mr. Estabrook to approve the well waiver for domestic house use only. Second by Mr. Salem.

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

Motion carried: 7-0, Approved
Mr. William Shadden appeared in regards to the above request. Mr. Wonder wanted to point out that this is a waiver to the Plumbing Board Policy, not a City of Omaha ordinance. Mr. Shadden explained it will be his third attempt at the Master Plumber exam and he will be at training as a Local 16 instructor. Mr. Estabrook clarified the request. Mr. Brian Barrett stated he appreciates being ahead of the game.

Motion by Mr. Estabrook to approve the request of waiver of policy to move third try at Master Plumber exam to November 2019. Second by Mr. Salem.

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

Motion carried: 7-0, Approved

Mr. Faustino Martinez appeared before the Board in regards to the above request at the above address. Mr. Timothy Kerkhove appeared as an interpreter. Mr. Miller read the request into the record. Mr. Kerkhove stated there is currently only one restroom in the location. Mr. Miller asked if there are any drawings. Mr. Martinez stated that there are photos of the outside of the building, but no drawings. Mr. Estabrook asked the intent of the location. Mr. Martinez explained it is a nutrition store. Mr. Barrett asked if it would be possible to get a drawing. Mr. Miller asked that the rooms be identified as well, especially for their use. Mr. Martinez confirmed and stated there was a urinal. Mr. Miller read the rejected inspection into the record. Mr. Estabrook asked if it would be possible to get a drawing. Mr. Miller asked if there are any drawings. Mr. Martinez stated there are photos of the outside of the building, but no drawings. Mr. Estabrook asked the intent of the location. Mr. Martinez explained it is a nutrition store. Mr. Barrett asked if the location

Motion by Mr. Estabrook to hold over to the June 26, 2019 meeting. Second by Mr. Salem.

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

Motion carried: 7-0, Laid over to the June 26, 2019 meeting

Mr. Aaron Lee appeared before the Board in regards to the above request. He explained the reason why. Mr. Miller stated the paperwork is in order. Mr. Estabrook asked where the apprentice would be going to school. Mr. Miller stated the paperwork is in order.

Motion by Mr. Estabrook to approve Habitat for Humanity as an apprenticeship program. Second by Mr. Salem.

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

Motion carried: 7-0, Approved
Mr. Kyle Whitfield appeared before the Board in regards to the above request at the above address. Mr. Miller read the request into the record. Mr. Whitfield explained the reason for the request. Mr. Reed asked what the fixture was. Mr. Whitfield stated it is the urinals. Mr. Wonder explained the request further. He explained that something similar is used in prisons. He stated he would support this request. Mr. Reed asked what the listing was. Mr. Whitfield explained.

Motion by Mr. Estabrook to approve the waiver for the fixture opening for the twenty-one (21) urinals for this address. Second by Mr. Salem.

AYES: Barrett, Estabrook, Johnston, Reed, Salem, Schaap
ABSTAIN: Miller

Motion carried: 6-0-1, Approved

Ms. Erin Froschheiser appeared before the Board in regards to the above request at the above address. Mr. Miller read the request into the record. Ms. Froschheiser explained the request. Ms. Amy Schaap stated she would be abstaining from the vote. Ms. Froschheiser shared a larger set of plans that what was in the file. She detailed the request further. She explained that the theirs proposal that the size for the staff in this building will not exceed four, she detailed the space and the uses. She explained that there is a unisex restroom on the first level of this business. She explained the allowance for other uses. Mr. Wonder clarified the request and the code requirements. He explained the request is to have one unisex restroom on one level instead of one on each level. Mr. Reed asked about the restrooms for the children. Mr. Wonder explained. Ms. Froschheiser explained the layout. Mr. Barrett asked about the accessibility. Mr. Froschheiser explained that it is not required and that that instructor would go to the class having that French class. Mr. Reed clarified the plans and the intent. Mr. Reed asked Mr. Frank Reida about the fixture count. Mr. Reida responded based on his recollection of his initial plan review. Mr. Miller asked if they are requesting to waive three restrooms. Ms. Schaap stated that this is a unique situation because of the fact that there are only so many staff at a time. Ms. Froschheiser explained the hardships and the philosophy of the school that they are also dealing with. Ms. Schaap explained the provided areal photo and where the addition would go. Mr. Barrett stated he would be more comfortable with having a unisex on both floors. Ms. Froschheiser explained that there is only one classroom on the entire campus that doesn’t meet the count. She explained that the upper level doesn’t require a restroom due to the size. Mr. Reed asked what the hardship is. Ms. Froschheiser explained that they felt like it would be excessive to have one toilet for each staff. Mr. Miller asked about the growth of the school. Mr. Estabrook asked what the City thought about requiring a unisex on the main level. Ms. Froschheiser explained that it would be difficult for the size. Mr. Miller asked if there has been any construction. Ms. Froschheiser stated that construction has not begun, the permit is on hold. Mr. Miller asked if things could be readjusted to make it fit. Ms. Froschheiser explained where the owners are coming from and the fact that they are over budget. Mr. Barrett explained that the Board does not want the staff to use the student restrooms and that is the purpose of the code. Mr. Wonder confirmed the City would support the waiver of the urinal with a unisex on each level. Mr. Miller stated that he understands that the hardship is cost. Ms. Froschheiser explained that is part of it. She explained what the school is doing now. Mr. Reed restated what he’s hearing is the consensus.

Motion by Mr. Reed to waive the requirement for a men’s and women’s staff restrooms on both floors of this facility and in lieu of that, to provide a unisex restroom on both floors and to allow those unisex restrooms to be installed without a urinal. Second by Mr. Estabrook

AYES: Barrett, Estabrook, Johnston, Reed, Salem, Schaap, Miller
ABSTAIN: Schaap

Motion carried: 6-0-1, Approved
Mr. Tanner Baker appeared before the Board requesting approval to the Omaha Apprenticeship Program with a start date of approximately a month and a half ago. Mr. Aaron Lee stated that Mr. Baker began April 1, 2019. Mr. Miller asked if documentation could be provided. Mr. Miller stated that the ratios are in order.

Motion by Mr. Estabrook to approve Mr. Baker to the Omaha Apprenticeship Program with an April 1, 2019 start date with the stipulation of providing documentation of start date. Second by Mr. Salem.

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

Mr. Lee asked about the reinstatement of an expired Sewer Layer license due to being deployed. Mr. Wonder stated there is no provision to waive that. Mr. Lee asked if he would be contacted about that. Mr. Miller stated they would look at it and if there was anything the board could do.

Mr. Jim Peterson and Mr. Jeffrey Ficenec appeared before the Board requesting an April 10, 2019 start date. Mr. Miller stated his paperwork is in order.

Motion by Mr. Estabrook to approve Mr. Ficenec to the Omaha Apprenticeship Program with an April 10, 2019 start date. Second by Mr. Salem.

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

Mr. Jim Peterson and Mr. Joshua French appeared before the Board requesting a February 11, 2019 start date. Mr. Miller stated his paperwork is in order.

Motion by Mr. Estabrook to approve Mr. French to the Omaha Apprenticeship Program with a February 11, 2019 start date. Second by Mr. Salem.

AYES: Barrett, Estabrook, Johnston, Reed, Salem, Schaap, Miller
Motion carried: 7-0, Approved
VI. Discussion

Jim Wonder – Exams Jose Hernandez (layover from 5/8/19 and 5/22/19)

Mr. Wonder explained that he was in contact with Mr. Hernandez and he believes they were sufficient to allow him to have missed the exams.

Motion by Mr. Reed to allow Mr. Hernandez permission to allow permission to have missed the May exam and it will not count towards his four times taking the exam.

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

Motion carried: 7-0, Approved

Jim Wonder – Lawn Sprinkler Contractor Reference Materials

He stated he’s still conferring with those in the industry to verify the reference materials more closely. He will be in touch with the Board when he gets more information.

Jim Wonder – Plumbing Board Policies

Mr. Wonder provided documentation for what the Open Meeting Laws said and what his suggestions for changes to Board Policies would be. He explained that the requirement of payment with the application. He explained some of the suggestions that he wanted to change. He stated he would suggest that they review it and vote on it at a later date.

VII. Executive Session to Review Exam Challenge

Mr. Wonder stated that there was no need for Executive Session

VIII. Adjournment

Motion by Mr. Estabrook to adjourn. Second by Mr. Salem.

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

Motion carried: 7-0, Adjourned at 2:50 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 at http://www.cityofomaha.org/planning/boards/plumbing-board