

APPROVED

TRADE LICENSING BOARD MINUTES

DATE: 11 DEC 2012

PLACE: City Manager's Conference Room

MEETING CALLED TO ORDER BY: Philip Nipper

TIME: 5:04 PM

ORDER OF BUSINESS

I. ROLL CALL:

1) PRESENT: Joe McCarty, Philip Nipper, Jerry Seiber and Brian Hayden

2) ABSENT: Wayne Garber and Jeff Lewis

3) ALSO PRESENT: Arnold Blackwell (City Staff), Jake Martin (City Staff), Denny Boss (City Staff), Ken Krushenski (City Attorney), Danny Scott (Danny's Plumbing), Ms. Jennifer Chadwell (104 Cedar Lane homeowner), Mr. Tobias Albrecht (assisting Ms. Chadwell), Ms. Whitney Mitchell (Pipe Wrench Plumbing) and Mr. Tom Cambron (License Holder/Owner Pipe Wrench Plumbing).

II. READING AND ADOPTION OF MINUTES FROM PREVIOUS MEETING:

a) Minutes from the 11 Sep 2012 meeting were read and approved. Motion to approve minutes as written was made by Mr. Hayden and seconded by Mr. McCarty.

III. DELIBERATION ON NEW APPLICANTS:

a) Gregory E Pullins: Class 1 Electrical Contractor under the reciprocity rule. The board reviewed the application and approved recommending a Class I Electrical License to Gregory E. Pullins. Motion to approve made by Mr. Seiber and seconded by Mr. Hayden. All members present voted in favor of approval.

IV. DISCIPLINARY ACTIONS:

a) Disciplinary Hearing: Pipe Wrench Plumbing

All testimony made under oath as administered by the Board Chair.

Mr. Boss, Code Enforcement Supervisor, provided background on two written complaints his office received regarding sub-standard residential sewer line work performed by Pipe Wrench Plumbing at 104 Cedar Lane and 967 W. Outer Drive. The work at 104 Cedar Lane took place on or about 2 July 2012 and the work at 967 W. Outer Drive took place in June 2012. Mr. Boss stated that work permits were not obtained for either job. Mr. Boss made no specific recommendation other than what the city ordinance (12-914) provides as options to the Board regarding disciplinary action.

Mr. Blackwell, Plumbing Inspector, provided additional testimony regarding the "as found conditions" at 967 W. Outer Drive after he was called to the work site by City of Oak Ridge Public Works. He stated that Public Works personnel had informed him that a new sewer line was being installed and that a new sewer tap had been requested. He stated that he found work was in progress by Pipe Wrench Plumbing personnel without a valid permit and that it appeared that the replacement sewer line was not being installed at the same location as the current sewer line and that it also appeared that the new line would be below the city sewer main elevation. He went on to state that the workers from Pipe Wrench Plumbing had abandoned the job and left the homeowner without a working sewer line. The following day, Danny Scott of Danny's Plumbing was hired by the homeowner and made corrective actions. Regarding the 104 Cedar

Lane property, Mr. Blackwell stated that he was called to the residence after receiving a call from Danny Scott of Danny's Plumbing who was hired by the homeowner to make corrective actions to the work performed by Pipe Wrench Plumbing. He was not involved with any inspections of the original work performed by Pipe Wrench Plumbing as they never obtained a permit.

The homeowner at 104 Cedar Lane, Ms. Jennifer Chadwell provided the Board with background regarding her sewer line replacement as performed by Pipe Wrench Plumbing. Her testimony included actions taken by Pipe Wrench Plumbing, actions taken by City of Oak Ridge Public Works after work was completed by Pipe Wrench Plumbing, her actions when she had problems with her sewer after repairs were made by Pipe Wrench Plumbing and actions by Danny Scott of Danny's Plumbing who Ms. Chadwell hired to correct deficiencies with the new sewer line installed by Pipe Wrench Plumbing. She also testified that Pipe Wrench Plumbing had refunded her in full after receiving a letter of complaint from her.

Mr. Danny Scott of Danny's Plumbing was hired by both property owners at 104 Cedar Lane and 967 W. Outer Drive to correct the problems they had with their sewer lines. He provided testimony regarding the conditions he found at both properties and what his corrective actions were.

At 104 Cedar Lane, Mr. Scott found that the original sewer line had not been completely replaced leaving about 40 feet of the original 6 inch clay sewer line in place and that it was obstructed with roots causing the sewer line not to work properly. Additionally, he found that the flexible connection made by Pipe Wrench Plumbing at the house connection had begun to sag. Work performed by Pipe Wrench Plumbing had not been inspected by the city as there was no permit obtained by Pipe Wrench Plumbing. Mr. Scott removed roots from the remaining clay line, "slipped" new 4" sch 40 PVC piping through the 6 clay pipe to the man hole terminus and re-made the house connection.

The homeowner of 967 W. Outer Drive was not present at the meeting, however Mr. Scott provided testimony regarding the conditions found and his corrective actions. He stated that Pipe Wrench Plumbing had excavated a new ditch for the replacement sewer in order to re-route the location of the line vice following the old line. This new route added three (3) 90 degree elbows to the line changing direction of the line which would have ultimately put the new line in a position that would have been deeper than the city sewer main. Mr. Scott's corrective actions included disconnecting and abandoning the piping that Pipe Wrench Plumbing had installed, replacing the original "Orangeburg" house sewer line piping with 4" sch 40 PVC piping to the street, scoping the remaining portion of the original line with a camera and installing a backflow device provided by the city. A section of original piping under the street was not replaced as the homeowner did not want to incur the additional cost of replacing the complete line under the street to the city main.

Ms. Mitchell and Mr. Cambron both of Pipe Wrench Plumbing provided testimony regarding the employee who performed the work at the locations and stated that he had been fired after they had found out about these two jobs. They also stated that the homeowner at 967 W Outer had not been charged any money and that the homeowner at 104 Cedar Lane had been refunded her money. They went on to explain to the Board some of their "in-house" practices including obtaining permits, training and supervision. Mr. Cambron and Ms. Mitchell both apologized to Ms. Chadwell and agreed that they could have done better.

The Board then discussed options available to them under city ordinance Title 12, section 9, chapter 914. Mr. Seiber recused himself from discussion and voting to avoid any possible conflict of interest. Mr. Hayden discussed the options available and recommended a license suspension per the guidelines of paragraph (c) of ordinance 12-914. Mr. McCarty discussed concerns he had with other employees of Pipe Wrench Plumbing possibly not having adequate training or supervision at the job site. He also recommended a license suspension under paragraph (c) of the ordinance. Mr. Nipper discussed the various options under the ordinance and specifically addressed the health and safety of the homeowners and the public at large when raw sewage is present and addressed the issue of poor or lack of proper supervision at the job site and discussed the fact that work permits had not been obtained prior to the start of work. Mr. Nipper recommended a 1 year license suspension under paragraph (c) of the ordinance.

At the end of discussion a motion to suspend Pipe Wrench Plumbing's license for 30 days per 12-914,

paragraph (c), was made by Mr. Hayden and seconded by Mr. McCarty. The motion passed 3 to zero with one abstention. Board members Hayden, McCarty and Nipper voted in favor of the motion and Board member Seiber abstained.

V. STAFF REPORT:

a) NONE

VI. UNFINISHED BUSINESS:

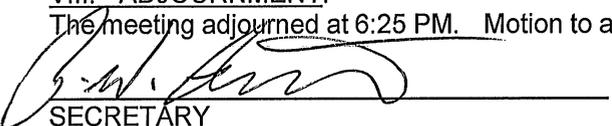
a) NONE

VII. NEW BUSINESS:

a) NONE

VIII. ADJOURNMENT:

The meeting adjourned at 6:25 PM. Motion to adjourn made by Mr. McCarty and seconded by Mr. Seiber.


SECRETARY