

Community Advisory Group (CAG)

for the

Omaha Lead Site

Comprehensive Plan Committee
Minutes from June 15, 2005 Meeting
Urban League of Nebraska Family Resource Center

Tanya Cook (Governor's Omaha Advisory Council for Lead Safe Neighborhoods), Jonah Deppe (League of Women Voters), Mary Hill (Sisters Together), Jennifer Rawley (MFG, Inc.), Reid Steinkraus (Douglas County Health Department), and Marian Todd (City Planning Department) were in attendance.

The Subcommittee discussed Cleveland's lead ordinance. Ms. Deppe explained that the ordinance involved abatement, as opposed to interim controls. The ordinance requires a permit for lead abatement, except at a personal residence. The ordinance also includes distributing lead-free certificates to abated homes.

Mr. Steinkraus discussed the newly passed Douglas County lead ordinance. Mr. Steinkraus explained that the article was passed by the Douglas County Board of Health and only pertains to Douglas County, excluding the City of Omaha because of a State statute. Mr. Steinkraus stated that the article provides the Douglas County Health Department with the discretion to determine if abatement or interim controls are appropriate. Mr. Steinkraus stated that the new article is written broadly and provides power to the Douglas County Health Department to address lead hazards, but, because most children with elevated blood lead levels in the county live in Omaha, it may not have a significant impact on blood lead levels. Mr. Steinkraus stated that the main impetus for passing the article was to set precedence. Ms. Deppe expressed concern regarding the broadness of the ordinance, which leaves much open to interpretation.

The Subcommittee discussed the need for building inspectors to identify lead-based paint hazards when responding to calls regarding property maintenance. (At the May meeting, Mr. Kevin Denker with the City Planning Department indicated that the judge reviewing the case, brought by the landlord association in regards to property maintenance codes, will be making a decision in October regarding the continuation of the recently adopted codes. He also indicated that current practice limits making further changes to the code for another two years.) Ms. Deppe stated that there should be a way to inform the judge about the importance of including references to lead-based paint hazards. Ms. Hill suggested that tenants could sue to have changes made to the code, just as the landlords did. Ms. Deppe stated that she is unaware of a strong tenant association in Omaha that could assist in advocating for tenant's rights. Ms. Deppe will check with Family Housing to see if they have information regarding a tenant's organization.

The Subcommittee discussed pursuing a City lead ordinance. Ms. Deppe suggested reviewing the Cleveland lead ordinance as a starting point for developing an ordinance for Omaha/Douglas County. Mr. Steinkraus suggested directing efforts to the Mayor, City Planning Department, and City Council. Mr. Steinkraus suggested that successfully passing an ordinance would depend on whether or not a political will to work with the landlord association exists, as the landlord association will most likely oppose any attempts to include identifying lead based paint hazards and requiring remediation.. Ms. Cook suggested enlisting the support of landowners, tenants, and private industry to sit down with the Mayor. Mr. Steinkraus suggested contacting the Mayor on behalf of the CAG Comprehensive Plan Subcommittee because the Mayor has recognized the CAG's efforts.

Mr. Steinkraus stated that the City's nuisance code could also be used to address lead-based paint concerns.

Ms. Deppe stated that she would contact the Appleseed organization and ask their assistance in drafting a City ordinance and would work with Ms. Brenda Council to schedule a meeting with the Mayor.

The next Subcommittee meeting will be held on Wednesday, July 14, 2005 at 10:30 a.m. at the Family Resource Center, located at 3040 Lake Street.