



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

ELEVATOR SAFETY BOARD
Ottawa Building, Upper Level Conference Room 3
611 West Ottawa Street
Lansing, Michigan 48933

APPROVED 03/21/2023

MINUTES – OPEN SESSION

December 13, 2022

10:00 a.m.

MEMBERS ATTENDING

Mr. Michael Janca, Chairperson
Mr. Sean Walker, Vice Chairperson
Mr. Doug Datema
Mr. Joshua Jacobs
Mr. David Krueger
Mr. Keith Lambert
Mr. Nicholas Ottney
Mr. Michael Vandervennet
Mr. John Whitten

MEMBERS ABSENT

Mr. Richard Karp
Mr. Ricardo Knott

DEPARTMENT PERSONNEL ATTENDING

Mr. Andrew Brisbo, Bureau Director, Administration, BCC
Mr. Jon Paradine, Division Deputy Director, Inspections Division, BCC
Mr. Anthony Snyder, Administrative Law Specialist, Administration, BCC
Ms. Kelly Bean, Manager, Licensing and Compliance Section, BCC
Mr. Craig Lalonde, Code Inspection Supervisor, Elevator Section, BCC
Mr. Bryan Bryson, Manager, Administrative Section, BCC
Ms. Hillary Millen, Departmental Analyst, Administrative Section, BCC
Ms. Tracie Pack, Departmental Analyst, Administrative Section, BCC
Ms. Lindsay Schmidt, Assistant Attorney, General, DAG

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Janca called the meeting to order at 10:14 a.m. A quorum was present at that time.

2. APPROVAL OF AGENDA

A **MOTION** was made by Board Member Whitten and **SECONDED** by Vice Chairperson Walker to approve the agenda. **MOTION CARRIED UNANIMOUSLY.**

3. APPROVAL OF MINUTES

A. June 21, 2022

A **MOTION** was made by Vice Chairperson Walker and **SECONDED** by Board Member Datema to approve the minutes of the June 21, 2022 meeting with the amendment that under Item 5A. Mr. Steve Starr be changed to Mr. Steve Stark. **MOTION CARRIED UNANIMOUSLY.**

4. PUBLIC COMMENT

None.

5. VARIANCE REQUEST

A. Heritage Hall – Michigan State Capitol

A variance request for Heritage Hall – Michigan State Capitol located at 208 North Capitol Avenue, Lansing, MI 48933 was reviewed by the Board for relief from the requirements of Elevators Rules, R 408.7043.

Messrs. Chad Clarke, Christman Company, Ben Tellian, Quinn Evans Architects, Dion Cooper, VDA Consulting, Scott Simmons, Great Lakes Elevator, presented statements to the Board.

Following discussion, a **MOTION** was made by Board Member Datema and **SECONDED** by Board Member Jacobs to approve the variance request for Heritage Hall – Michigan State Capitol with the conditions that there be a common keyed lock between both rooms and proper signage in both the mechanical and auxiliary space. **MOTION CARRIED UNANIMOUSLY.**

B. All Access Lift LLC

A variance request for Megan Walendzik located at 3331 Spring Street, Hudsonville, MI 49429 was reviewed by the Board for relief from the requirements of Sections 2.6.5 of the American Society of Mechanical Engineers (ASME) A18.1-2011.

Mr. Barry Mole, All Access Lift, LLC, presented statements to the Board.

Following discussion, a **MOTION** was made by Board Member Datema and **SECONDED** by Vice Chairperson Walker to approve the variance request for All Access Lift LLC as submitted. **MOTION CARRIED UNANIMOUSLY.**

C. Happy's Pizza

A variance request for Happy's Pizza located at 30995 Northwestern Highway, Farmington Hills, MI 48334 was reviewed by the Board for relief from the requirements of Sections 8.7.2.28 of the American Society of Mechanical Engineers (ASME) A17.1-2010.

Mr. Breck Peterson, Elevator Solutions Inc., presented statements to the Board.

Following discussion, a **MOTION** was made by Board Member Jacobs and **SECONDED** by Board Member Vandervennet to approve the variance request for Happy's Pizza with the condition that the power source from old smoke detectors be removed and the fire services operation comply with the code the elevator was originally installed under. **MOTION CARRIED UNANIMOUSLY.**

D. Oakland University South Foundation Hall; Variance 1

A variance request for Oakland University – South Foundation Hall located at 308 Meadow Brook Road, Rochester, MI 48309 was reviewed by the Board for relief from the requirements of Sections 2.4.7, 2.4.1.3 and 2.4.1.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010.

Mr. Drew Wildenhaus, TK Elevator, presented statements to the Board.

Following discussion, a **MOTION** was made by Vice Chairperson Walker and **SECONDED** by Board Member Datema to deny the variance request for Oakland University South Foundation Hall; Variance 1 due to not enough refuge space; therefore, losing a level of safety. **MOTION CARRIED UNANIMOUSLY.**

E. Oakland University South Foundation Hall; Variance 2

A variance request for Oakland University – South Foundation Hall located at 308 Meadow Brook Road, Rochester, MI 48309 was reviewed by the Board for relief from the requirements of Sections 2.2.7, 2.4.1.1, 2.4.1.3 and 2.4.1.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010.

Mr. Drew Wildenhaus, TK Elevator, presented statements to the Board.

Following discussion, a **MOTION** was made by Vice Chairperson Walker and **SECONDED** by Board Member Whitten to deny the variance request for Oakland University South Foundation Hall; Variance 2 due to no refuge space and no measurement could be provided; therefore, there is a loss of a level of safety. **MOTION CARRIED UNANIMOUSLY.**

6. UNFINISHED BUSINESS

A. Kohl's Grandville

A variance request for Kohl's Grandville located at 3790 Rivertown Parkway SW, Grandville, MI 49418 was reviewed by the Board for relief from the requirements of Sections 2.2.2.3 through 2.2.2.6 of the American Society of Mechanical Engineers (ASME) A17.1-2010.

Mr. Josh VanSickle, KONE Elevator, presented statements to the Board.

Following discussion, a **MOTION** was made by Board Member Datema and **SECONDED** by Vice Chairperson Walker to approve the variance request for Kohl's Grandville as submitted with no requirement for a sump pump to be installed. **MOTION CARRIED.**

- B. The Board asked for an update regarding Ascension Crittenton. BCC Elevator Section staff informed them the hospital complied with the requirements and withdrew their request.

7. APPLICANTS APPEALING DENIAL

A. Brandon Bunkelman - Journeyman Elevator Licensing Examination

i. Closed Session

At 11:27 a.m., a **MOTION** was made by Chairperson Janca and **SECONDED** by Vice Chairperson Walker to meet in closed session under Section 8(h) of the Open Meetings Act to consider material exempt from discussion or disclosure by state or federal statute under Section 13(1)(g) of the Freedom of Information Act, specifically the Memorandum dated December 13, 2022, which is subject to attorney-client privilege. (Aye: Board Members Datema, Jacobs, Janca, Krueger, Lambert, Ottney, Vandervennet, Walker, Whitten; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

The Board came back into Open Session at 11:54 a.m. at which time LARA, Bureau of Construction Codes' Deputy Director Lambert recused himself from discussion and vote for Item 7A.

ii. Open Session

Mr. Brandon Bunkelman appeared before the Board to appeal denial of his Application for Journeyman Elevator Examination per the requirements of MCL 338.2156(4).

Mr. Thomas Cardelli, of Cardelli Lanfear P.C., and Mr. Bunkelman were present to provide statements regarding Mr. Bunkelman's appeal.

The Board posed numerous questions to Mr. Bunkelman regarding his work experience and license application and considered his responses.

Following discussion, a **MOTION** was made by Vice Chairperson Walker and **SECONDED** by Board Member Vandervennet to recommend denying Mr. Bunkelman's appeal because Mr. Bunkelman failed to demonstrate direct supervision of apprentices or mechanics on a day-to-day basis. **MOTION CARRIED UNANIMOUSLY.**

8. NEW BUSINESS

Can applicants provide documentation electronically, and do we request specific documents (i.e., plans)? We do accept documents submitted electronically; however, the Bureau cannot require individuals to submit their documents electronically.

9. BUREAU QUARTERLY REPORT

Deputy Director Lambert reported on the following:

Through a Bureau reorganization, Andrew Brisbo joined the Bureau as its new Director the week of September 18, 2022.

Jon Paradine who has been managing the Bureau's Building Section is now the Inspections Division Deputy Director, and Alesha Gensler is now the Division Deputy Director for the Bureau's new Licensing, Compliance & Administration Division.

Deputy Director Lambert informed the Board that Dianne Barmes, who was the Bureau's Licensing and Compliance Manager, retired and that Kelly Bean is the section's new manager.

Bryan Bryson began September 4, 2022, as the new manager hired to fill the long-term manager vacancy in the Administrative Section.

The Benton Harbor project is 99% completed and five (5) months ahead of schedule.

Currently, the City of Grand Rapids has their own electrical licensing program. However, the City will be turning their licensing program over to the State effective January 1, 2023.

The 2018 Building and Mechanical Codes are being rescinded, and the Bureau will instead be moving ahead to the 2021 cycle for these codes with the Electrical Code being the 2023 version. The 2016 Elevator Rules are, currently, at the Joint Committee on Administrative Rules (JCAR).

The Legislature has amended the Open Meetings Act to require public meetings be recorded. The changes will take effect in 2023.

10. NEXT MEETING DATE – MARCH 21, 2023

The Board is scheduled to meet next at 10:00 a.m. at 611 West Ottawa Street, Lansing, MI 48933 in Upper Level Conference Room 3 on March 21, 2023.

11. ADJOURNMENT

A **MOTION** was made by Board Member Vandervennet and **SECONDED** by Board Member Datema to adjourn the meeting at 12:51 p.m. **MOTION CARRIED UNANIMOUSLY.**