



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

MINUTES
June 21, 2022
10:00 a.m.

MEMBERS ATTENDING

Mr. Michael Janca, Chairperson
Mr. Sean Walker, Vice Chairperson
Mr. Doug Datema
Mr. Joshua Jacobs
Mr. Ricardo Knott
Mr. Keith Lambert
Mr. Nicholas Ottney
Mr. John Whitten

MEMBERS ABSENT

Ms. Sally Corbin
Mr. Richard Karp
Vacant – General Public

DEPARTMENT PERSONNEL ATTENDING

Ms. Becky Jones, Manager, Elevator & Ski/Amusement Division, BCC
Mr. Craig Lalonde, Code Inspection Supervisor, Elevator & Ski/Amusement Division, BCC
Mr. Jon Paradine, Chief, Building and Permits Division, BCC
Ms. Hillary Millen, Departmental Analyst, Administrative Services Division, BCC
Ms. Tracie Pack, Departmental Analyst, Administrative Services Division, BCC

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Janca called the meeting to order at 10:00 a.m. A quorum was present at that time.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. March 22, 2022

Board Member Walker asked that the minutes be amended to state he did not nominate himself for Vice Chairperson at the March 22, 2022 meeting and that the nomination was made by Board Member Jacobs.

A **MOTION** was made by Board Member Walker and **SECONDED** by Board Member Datema to approve the minutes of the March 22, 2022 meeting as amended. **MOTION CARRIED UNANIMOUSLY.**

4. PUBLIC COMMENT

Mr. Anthony Agosta, Clark Hill PLC, provided a brief summary regarding the Schindler Elevator Corporation appeal (Item 6A.).

Mr. Eric McClaskey, International Union of Elevator Constructors (IUEC), provided comment, regarding the Schindler Elevator Corporation appeal (Item 6A), indicating a locking device is there to protect the worker and that the IUEC is in support of the Bureau's Elevator Safety Division's decision.

Mr. Dave Griefenhagen, International Union of Elevator Constructors, provided comment, referring to the Schindler Elevator Corporation appeal (Item 6A), stating the code section regarding locking devices was added to provide a safe working area for the worker and that he was attending to support the Bureau's Elevator Safety Division's decision.

5. VARIANCE REQUEST

A. Eastern Michigan University

A variance request for Eastern Michigan University located at 300 West Michigan Avenue, Ypsilanti, MI 48197 was reviewed by the Board for relief from the requirements of Elevators Rules, R 408.7043.

Mr. Scott Storrar,—Eastern Michigan University, and Messrs. Steve Starr and Jack Vermander, Lardner Elevator Co., provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Walker and **SECONDED** by Board Member Datema to approve the variance request for Eastern Michigan University with the condition of the maintenance inspection and anticipated duration of jacket. **MOTION CARRIED UNANIMOUSLY.**

B. 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, did not appear to provide testimony for the review.

Following discussion, a **MOTION** was made by Board Member Walker and **SECONDED** by Board Member Datema to postpone the variance request for Kohl's Grandville due to applicant not attending and allowing the applicant another opportunity to appear. **MOTION CARRIED UNANIMOUSLY.**

C. St. Mary's of Michigan

A variance request for St. Mary's of Michigan located at 800 South Washington Avenue, Saginaw, MI 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.

Messrs. Christopher Gustafson, and Mike Sovis, KONE Elevator, provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Datema and **SECONDED** by Board Member Jacobs to approve the five (5) current units and two (2) future units specified in the variance request for St. Mary's of Michigan as submitted. **MOTION CARRIED UNANIMOUSLY.**

D. Potter Place

A variance request for Potter Place located at 300 West Washington Avenue, Alpena, MI 49707 was reviewed by the Board for relief from the requirements of Elevators Rules R 408.7002(1)(h).

Mses. Nancy Ross, and Mary Sand, Potter Place, provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Jacobs and **SECONDED** by Board Member Whitten to deny the variance request for Potter Place as the unit does not have a state serial number in order for the State of Michigan to inspect. **MOTION CARRIED UNANIMOUSLY.**

6. APPEAL AND VARIANCE REQUEST

A. Schindler Elevator Corporation

The appeals and variance requests for Schindler Elevator Corporation elevators N4997-07 (ELEV22-00065), N4997-08 (ELEV22-00064), N5003-09 (ELEV21-00393) and N5003-10 (ELEV21-00394) MMC Alpena; M6539-01 (ELEV21-00555) and M6539-01 (ELEV21-00555) OU Wilson Hall; and N4216-02 (ELEV21-00315) and N4215-01 (ELEV21-00316) MSUFCU submitted by Clark Hill PLC representing Schindler Elevator Corporation was presented to the Board for relief from the requirements/appeal to violation of Section 2.7.5.1.1 of the 2010 edition of the ASME A17.1 Safety Code for Elevators and Escalators.

Messrs. Anthony Agosta and J. Chis White, Clark Hill PLC, and Messrs. Derek Groenwoldt and Bob Cernak, Schindler Elevator, provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Walker and **SECONDED** by Board Member Knott to deny the appeal request for Schindler Elevator Corporation due to a lack of a level of safety. **MOTION CARRIED.**

7. **UNFINISHED BUSINESS**

A. A4 Access

A variance request for A4 Access located at 2845 Crooks Road, Rochester Hills, MI 48309 was reviewed by the Board for relief from the requirements of Section 5.2.1.16.1 of the American Society of Mechanical Engineers (ASME) A17.1-2013.

Mr. Todd Powers, homeowner, and Mr. Jeremia Fillips, A4 Access, provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Walker and **SECONDED** by Board Member Whitten to approve the variance request for A4 Access as submitted. **MOTION CARRIED UNANIMOUSLY.**

B. Ascension Crittenton

A variance request for Ascension Crittenton located at 1101 West University Drive, Rochester, MI 48307 was reviewed by the Board for relief from the requirements of Section 2.27.3.1.2 of the 2010 edition of the American Society of Mechanical Engineers (ASME) A17.1 Safety Code for Elevators and Escalators as adopted by the 2010 edition of the Michigan Elevator Rules.

Mr. Jeffrey Vandremel, Kone Elevator, provided testimony for the review.

Following discussion, a **MOTION** was made by Board Member Whitten and **SECONDED** by Board Member Datema to postpone the variance request for Ascension Crittenton in order for the applicant to provide a letter from the City of Rochester Fire Marshal approving the location of the panel and a plan from the applicant proposing if the panel can be located in one (1) room. **MOTION CARRIED UNANIMOUSLY.**

C. Washtenaw Community College

A variance request for Washtenaw Community College located at 4800 East Huron River Drive, Ann Arbor, MI was reviewed by the Board for relief from the requirements of Rule 34, Section 2.7.1 of the 2010 edition of the American Society of Mechanical Engineers (ASME) A17.1 Safety Code for Elevators and Escalators as adopted by the 2010 edition of the Michigan Elevator Rules.

Mr. Josh VanSickle, Kone Inc., Grand Rapids, was not present to provide testimony for the review. Director Lambert provided the Board with the legal advice and direction from the Office of the Attorney General regarding application of statutory requirements of variances where construction codes crossover.

Following discussion, a **MOTION** was made by Board Member Datema and **SECONDED** by Board Member Jacobs to dismiss the variance request for Washtenaw Community College as submitted as the variance falls under electrical requirements; and therefore, it should be directed to the City of Ann Arbor as the electrical code authority where the elevator is located. **MOTION CARRIED UNANIMOUSLY.**

8. NEW BUSINESS

None.

9. BUREAU QUARTERLY REPORT

Director Lambert reported on the following:

The Bureau continues to work with auditors regarding their findings during its 2020 audit, and BCC is addressing any issues with resources the Bureau has.

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

10. NEXT MEETING DATE – SEPTEMBER 20, 2022

The Commission 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 September 20, 2022.

11. ADJOURNMENT

A **MOTION** was made by Board Member Walker and **SECONDED** by Board Member Datema to adjourn the meeting at 12:33 p.m. **MOTION CARRIED UNANIMOUSLY.**