

ELEVATOR SAFETY REVIEW BOARD MEETING

Tuesday, August 13, 2024

IUEC ELEVATOR CONSTRUCTORS LOCAL 2

TRANSCRIPT OF PROCEEDINGS had at the meeting of the above-entitled organization, at 5860 West 111th Street, Chicago Ridge, Illinois, taken before SUZANNE BURKE, a Certified Shorthand Reporter in the State of Illinois on the 13th day of August, 2024, A.D., commencing at the hour of 9:33 o'clock a.m.

THE BOARD:

Daniel Baumann, Chair and Member Labor Representative

Juan Gonzalez, Member, IUEC National Organizer

Ed Christensen, Member, IUEC Labor Representative - Cook County

Daniel O'Donnell, Member - Otis Elevator Company

Allison Allgaier, Member, Phoenix Modular

Henry Thompson, Member, General Public

Daniel Ganiere, Member, Fire Service Community

Thomas Jirik, Member, Kone Elevator

Larry Christensen, Assistant Director, Elevator Safety

Dick Gregory, Consultant to the Board

Barbara Padilla, Member, Accessibility Advocate

William Murphy, Member, General Public and Chicago Fire Department

Barbara Hickey, Member, Willis Tower

Adrienna Edwards, Member, Advocacy Group for Condominium Owners

1 GENERAL COUNSEL:

2 Scott W. Gertz

3 GUESTS:

4 Lauren Doherty, OSFM

5 Demetrios Kouretas, OSFM

6 Thomas Paskey, OSFM

7 Katherine Nunes, OSFM

8 Ben Whipple, Illinois Professional

9 Firefighters Association

10 Patty Young, TEIS

11 Kevin Cunningham

12 Dennis Finn, Colley Elevator

13 David Keaney Relay Robotics

14 appeared on behalf of the plaintiff;

15 appeared on behalf of the defendant.

1 CHAIRMAN BAUMANN: The meeting is called
2 to order. Will all stand for the pledge of
3 allegiance.

4 (Pledge of allegiance, followed by a
5 moment of silence.)

6 CHAIRMAN BAUMANN: Has the Board had the
7 opportunity to read the minutes?

8 MEMBER PADILLA: Yes.

9 CHAIRMAN BAUMANN: Is there any
10 questions on the minutes, any changes, additions,
11 or corrections?

12 None being so, I have some.

13 There was miscommunication in the
14 last meeting that we had on March 14th. I read
15 into the minutes a letter, and there was -- I
16 don't know exactly what lines they were, but it
17 was -- I don't want to have to read it over
18 again. I don't know what page they were on.

19 Anyways, hold on a second. I didn't
20 mark the minutes.

21 Page 8, line 20. I spoke to Senator
22 Gillespie by phone March 4th, 2024, to let her
23 know it was a State Board decision. And that was
24 miswritten on that line.

1 Page 9, I'm going to hand you the
2 sheet.

3 Page 9, line 3, the inspector was
4 Tom Paskey, P-a-s-k-e-y.

5 On line -- on page 9, line 10, it
6 said the date of plate. It's the data, d-a-t-a,
7 plate.

8 On page 10, line 9, she wrote
9 bidding, it's building. I said planning and
10 preparation is imperative for the elevator
11 company doing the mod for the building or
12 management company and the residents that live in
13 the building especially if there is a disabled
14 person living on an upper floor.

15 Also on page 10, it's better to plan
16 for the cylinder replacement than to have a
17 catastrophic failure where the elevator is shut
18 down and someone, a resident or their guests, are
19 seriously hurt.

20 And that's what I wrote. That's
21 what I read.

22 Page 11, line 18. Young lady's name
23 was Shantell McCoy that was killed in an elevator
24 on 3130 Lake Shore Drive in Chicago.

1 Those are the corrections that I've
2 had.

3 Anybody have any response or -- do I
4 have a motion to accept the minutes?

5 MEMBER CHRISTENSEN: So moved.

6 CHAIRMAN BAUMANN: It's been moved.

7 MEMBER MURPHY: Second.

8 CHAIRMAN BAUMANN: To have the minutes
9 read as corrected.

10 It's been moved and seconded.

11 All those in favor, say aye.

12 (A chorus of ayes.)

13 CHAIRMAN BAUMANN: All those opposed.

14 The ayes have it. Thank you.

15 Moving on to our Administrator Larry
16 Christensen.

17 ADMINISTRATOR CHRISTENSEN: Progress
18 report?

19 CHAIRMAN BAUMANN: Yes, please.

20 ADMINISTRATOR CHRISTENSEN: Okay. It's
21 pretty brief.

22 Permits for the State was 326.

23 Total licensing registered 479. And total
24 registration of conveyances 319. And a total

1 of -- total certificates 7,349. And that was
2 actually from July 1st -- I mean, January 1st to
3 July 31st.

4 That's all I got.

5 CHAIRMAN BAUMANN: Is that the end of
6 your report?

7 ADMINISTRATOR CHRISTENSEN: Yes.

8 CHAIRMAN BAUMANN: Before we go on a
9 little farther, we have some new Board members.
10 And I'd like everybody to introduce themselves a
11 little bit just to getting everybody acquainted.

12 MEMBER GONZALEZ: My name is Juan
13 Gonzalez. I work with the IUEC as a national
14 organizer.

15 CHAIRMAN BAUMANN: Eddie. Everybody
16 knows you, but can you introduce yourself?

17 MEMBER CHRISTENSEN: Ed Christensen,
18 IUEC.

19 CHAIRMAN BAUMANN: Dan.

20 MEMBER O'DONNELL: Dan O'Donnell, Otis
21 Elevator Company.

22 MEMBER ALLGAIER: Allison Allgaier,
23 Phoenix Modular.

24 MEMBER THOMPSON: Henry Thompson,

1 general public.

2 MEMBER GANIERE: Tom Ganiere,
3 representing fire service.

4 MEMBER JIRIK: Tom Jirik, Kone Elevator.

5 ATTORNEY GERTZ: Good morning, Scott
6 Gertz. I'm a lawyer with the Fire Marshal's
7 Office.

8 CHAIRMAN BAUMANN: Dan Baumann. I work
9 for the IUEC.

10 ADMINISTRATOR CHRISTENSEN: Larry
11 Christensen. I work for the OSFM.

12 MEMBER PADILLA: Barbara Padilla,
13 accessibility advocate.

14 MEMBER MURPHY: Bill Murphy. I'm from
15 the Chicago Fire Department, member of the
16 public.

17 MEMBER HICKEY: Barbara Hickey, Willis
18 Tower.

19 MEMBER EDWARDS: Adrienna Edwards. I'm
20 the president of a condo board of a 728-unit
21 building, so I'm representing the condominium
22 association. Nice to meet you all.

23 CHAIRMAN BAUMANN: Welcome. Thank you
24 very much.

1 Okay. Unfortunately Dick Gregory is
2 not here. So he's going to be -- he's our
3 consultant that was going to talk to us about the
4 new code updates. He's also going to be here for
5 a temporary use, so we're going to move on
6 besides that.

7 We're still going to be meeting --
8 we're still going to have the discussion on this.

9 (Discussion off the record.)

10 CHAIRMAN BAUMANN: Is somebody from Des
11 Plaines -- Lake County -- no, Des Plaines River
12 Water Reclamation Facility?

13 ADMINISTRATOR CHRISTENSEN: Here for the
14 variance?

15 CHAIRMAN BAUMANN: Anybody here for the
16 variance?

17 None being so, this is going to be
18 quick.

19 (Discussion off the record.)

20 CHAIRMAN BAUMANN: Lauren, do you have a
21 presentation for the Water Reclamation District?

22 INSPECTOR DOHERTY: I do.

23 CHAIRMAN BAUMANN: Can you come up here,
24 so she can hear you.

1 INSPECTOR DOHERTY: Sure.

2 CHAIRMAN BAUMANN: Stand right next to
3 her, so she can hear you.

4 INSPECTOR DOHERTY: All right. On
5 January 15, 2015, Lake County permit application,
6 permit No. 209114, was applied for by the Lake
7 County Public Works Department.

8 On July 1st, 2015, a document from
9 Lake County Department of Planning, Building and
10 Development stated on the correction list No. 9
11 to submit elevator shop drawings for review and
12 approval prior to beginning elevator
13 installation.

14 On November 10th, 2015, the
15 paperwork and prints for the Gillespie or
16 Gillespie Conveyance stated that the shallow pit
17 safety system requires a variance prior to
18 installation.

19 On April 29th, 2016, an email
20 correspondence between Lake County and Applied
21 Technologies regarding the lift or the system
22 limited clearances were discussed. It shows a
23 City of Chicago variance for another conveyance
24 in the year of 2006.

1 But according to the rules of
2 Municipality Agreement, municipalities are
3 allowed to grant exceptions and variances.
4 However, when a conveyance might jeopardize the
5 safety and welfare of the public, OSFM must be
6 notified immediately. No variance was filed with
7 OSFM prior to this installation.

8 On March 22nd, 2018, the conveyance
9 was inspected and passed by a licensed elevator
10 contractor and a third-party inspection company.
11 The conveyance should never have passed the
12 inspection.

13 On May 7th, 2018, it was then
14 granted registration and assigned a conveyance
15 number of H024773.

16 On July 12th, 2023, OSFM became
17 aware of the conveyance.

18 On July 17th, 2023, I visited the
19 site to investigate further. During my
20 investigation, I found several deficiencies in
21 this case, such as, different addresses,
22 different code dates, as well as different permit
23 numbers. And we can go on from there.

24 Upon investigating I found that

1 there were less than 24 inches of clearance on
2 the top and less than 12 inches of clearance on
3 the bottom of the hoistway.

4 Since no variance could be found,
5 the conveyance was then locked and tagged out
6 until further notice.

7 OSFM tested the conveyance and found
8 that to activate the safety buffers the power to
9 the elevator is required to stay off.

10 According to the Elevator Field
11 Employee Handbook and all applicable codes, this
12 conveyance is in violation and is a life safety
13 risk. And due to the life safety risk this
14 conveyance imposes, OSFM recommends the removal
15 of the conveyance and a possible replacement.

16 And that's what I have.

17 CHAIRMAN BAUMANN: I'm going to read the
18 Administrative Code of Section 1000.70. The OSFM
19 and the local administration have the authority
20 to grant exceptions and variances from literal
21 requirements. This here is an appeal to that
22 variance that was never accepted, never granted.

23 INSPECTOR DOHERTY: Right.

24 CHAIRMAN BAUMANN: So they're appealing

1 it to the Board. And the Board has the authority
2 to hear appeals, and any denial of their local
3 administrator or any denial or objection of the
4 OSFM. The Board will hold hearings and will
5 decide the appeal within 30 days after the
6 appeal.

7 So I just wanted to read that. You
8 can always read these administrative codes
9 online.

10 Right?

11 MR. GERTZ: They were forwarded to the
12 Board.

13 CHAIRMAN BAUMANN: Oh, they were all
14 forwarded to the Board. Okay. So you got this
15 and read this.

16 INSPECTOR DOHERTY: Anything else?

17 CHAIRMAN BAUMANN: Any questions for
18 Lauren, for the inspector?

19 MEMBER ALLGAIER: It's hard with them
20 not here. So the violations are overhead, pit
21 clearance, and the safety --

22 INSPECTOR DOHERTY: They had no
23 clearance above or below, and it's a complete
24 safety risk for our employees and field safety.

1 And you can't lock out the unit safely, because
2 the buffers, the safety buffers, have to be on.
3 The power has to be on. And the number one thing
4 is to take the power off if we don't use it, you
5 know. And this should never have gone through.
6 It should have went through the proper protocol.

7 MEMBER ALLGAIER: Understood. So
8 there's three issues where it's noncompliant,
9 right? The safety buffers, the overhead, and pit
10 clearance.

11 INSPECTOR DOHERTY: Right. That's just
12 on that end. And then the clerical part was that
13 they never even asked for a variance to begin
14 with and they were under the municipality. So
15 this thing should never have even been installed
16 in the first place.

17 MEMBER ALLGAIER: Completely understood.
18 So I try to take the practical approach and say
19 can this be fixed, because tearing something out
20 is a waste.

21 INSPECTOR DOHERTY: Right.

22 MEMBER ALLGAIER: But it's better than
23 getting killed. So it seems to me that the
24 situation with the buffers, power, that would be

1 the difference, right, rewiring, whatever to make
2 it so that that could be fixed presumably. I'm
3 not smart enough to know how that is. You need
4 an engineer. But if that could be fixed, then
5 that would eliminate that risk?

6 The pit and overhead, do we know why
7 they didn't build it that way in the first place?
8 When Gillespie designed it, was there some --
9 variances are usually when --

10 INSPECTOR DOHERTY: They designed it
11 with a variance required. It's on their website.
12 It's all over their paperwork for this particular
13 safety system. It states it right there on their
14 very first or second paragraph that a variance is
15 required in order for this to be in place.

16 MEMBER ALLGAIER: So I'm wondering why
17 they didn't just build it with the pit and the
18 overhead required. Was there --

19 INSPECTOR DOHERTY: You and me both; you
20 and me both. Why would they do this and risk
21 anybody's safety in the first place. And why not
22 do it right from the beginning? That's my
23 question, too.

24 MEMBER ALLGAIER: So was there anything

1 that you observed on site that would have -- I
2 mean, sometimes there's a building footer in the
3 way, so you can't get full pit depth.

4 INSPECTOR DOHERTY: No, no. It was
5 right there. I think you just walk. There is
6 not even a place for someone to lay down if the
7 car was coming down. They would get smashed.

8 MEMBER ALLGAIER: And then the overhead
9 was --

10 INSPECTOR DOHERTY: There's nothing.
11 No, not even delayed on the connections.

12 MEMBER ALLGAIER: But anything on the
13 outside that would have prevented them from
14 making a taller hoist, right?

15 ADMINISTRATOR CHRISTENSEN: The overhead
16 clearance, excuse me, only has what, two, three
17 inches, if even that.

18 INSPECTOR DOHERTY: The overhead on the
19 top was 24 inches from the top.

20 ADMINISTRATOR CHRISTENSEN: That's for
21 the code. But when we measured, it only had
22 roughly three inches.

23 INSPECTOR DOHERTY: Oh, from that part,
24 yeah.

1 ADMINISTRATOR CHRISTENSEN: When the
2 elevator was level at the floor.

3 INSPECTOR DOHERTY: Level, once it was
4 all the way up to the top floor.

5 ADMINISTRATOR CHRISTENSEN: So it is a
6 life safety risk.

7 And, also, the plans and the prints
8 also said you must apply for variance.

9 MEMBER ALLGAIER: They also didn't do
10 the paperwork?

11 ADMINISTRATOR CHRISTENSEN: Yeah, but,
12 plus, we do say no variances on new construction,
13 so...

14 MEMBER ALLGAIER: This was a new
15 construction as well?

16 ADMINISTRATOR CHRISTENSEN: Yes, yes.

17 MEMBER ALLGAIER: So I'm just curious.
18 Couldn't another response back to them be, like,
19 you can't run this elevator as is. But if you
20 fix these three things, if you dig out a deeper
21 pit, if you make the overhead taller, if you fix
22 the safety buffer, electrical things, then it
23 could come into compliance, right?

24 ADMINISTRATOR CHRISTENSEN: Correct.

1 They'd have to get a consultant.

2 INSPECTOR DOHERTY: Yeah, you'd have to
3 get a consultant.

4 MEMBER ALLGAIER: They would have to fix
5 it.

6 INSPECTOR DOHERTY: They would have to
7 fix it.

8 MEMBER ALLGAIER: Yeah.

9 INSPECTOR DOHERTY: And we do have to go
10 through it and make sure that they did it right
11 before I could agree on any of that.

12 MEMBER ALLGAIER: Sure.

13 INSPECTOR DOHERTY: Yeah.

14 MEMBER ALLGAIER: That's just my only --
15 I mean, to mandate, you must pull it out and
16 destroy it. Well, there is another option. You
17 could fix these three things. It sounds like
18 they're all feasible.

19 INSPECTOR DOHERTY: Personally I would
20 have put a temporary -- a LULA, you know, where
21 that would have been sufficient, enough, where
22 you wouldn't have to go all the way up. But
23 there's no case there. I'm not a consultant.
24 That's not my job. It's my job to look at the

1 safety and go can I work here safely, can this
2 mechanic get home to their kids safely without
3 getting hurt. If that's not the case, then this
4 doesn't need to be here.

5 CHAIRMAN BAUMANN: This is an appeal
6 that they're asking for a variance, not to keep
7 it as status quo.

8 MEMBER ALLGAIER: Keep it as is, right.

9 INSPECTOR DOHERTY: Keep it as it is,
10 and we don't want to keep it as is.

11 MEMBER ALLGAIER: So they either need to
12 fix those three things or whatever else is in
13 violation, or they need to tear it down? I'm
14 just offering that second --

15 CHAIRMAN BAUMANN: Well, this is just
16 for the appeal, so you're going to either accept
17 or deny the appeal. And if you deny the appeal,
18 they're going to have to get the --

19 MEMBER ALLGAIER: They would need to
20 come back and say here is how we're doing it.

21 CHAIRMAN BAUMANN: That's correct. So
22 if we denied the appeal, they would have to get
23 an engineer, a design expert, to come in there
24 and redesign it or redesign that --

1 MEMBER ALLGAIER: So on the denial, did
2 you just deny the variance period, or was it --

3 INSPECTOR DOHERTY: We never got a
4 variance.

5 CHAIRMAN BAUMANN: We're going to deny
6 the --

7 ADMINISTRATOR CHRISTENSEN: Yes, it was
8 denied and that's why --

9 MEMBER ALLGAIER: Was it denied and said
10 they must tear it out or just denied here --

11 ADMINISTRATOR CHRISTENSEN: Denied, they
12 got the option to come to this Board meeting and
13 plead their case, and at the moment --

14 MEMBER ALLGAIER: They didn't come.

15 INSPECTOR DOHERTY: They're not here.

16 CHAIRMAN BAUMANN: Unfortunately they
17 were here at the last meeting that we didn't
18 have, so -- but they're not here. We told them
19 that the meeting was going to go today.

20 INSPECTOR DOHERTY: Okay.

21 CHAIRMAN BAUMANN: Do I have a motion?

22 MEMBER CHRISTENSEN: Motion to deny.

23 CHAIRMAN BAUMANN: I have a motion to
24 deny it.

1 Do I have a second?

2 MEMBER GANIERE: Second.

3 CHAIRMAN BAUMANN: Moved and seconded.

4 INSPECTOR DOHERTY: Thank you.

5 Thank you, you all.

6 CHAIRMAN BAUMANN: It's been seconded.

7 Any further questions?

8 MEMBER GANIERE: I'd like to make a
9 comment. I'm not a big fan of the old adage go
10 ahead and do it and ask for forgiveness later.
11 This should have been addressed right when
12 they -- this building, it should have been
13 addressed in their designs. The engineering firm
14 obviously knew they needed a variance. They
15 needed to get a variance.

16 To address the issue of having to
17 rip it out, they have to do what they have to do
18 to make it right if they want to use that
19 conveyance and build it brand new. They have to
20 do it. It's a safety issue. It shouldn't have
21 been built in the first place.

22 CHAIRMAN BAUMANN: Any other comments?

23 MEMBER O'DONNELL: Who issued the permit
24 to install it?

1 CHAIRMAN BAUMANN: Who issued the permit
2 to install it?

3 ADMINISTRATOR CHRISTENSEN: Lauren, can
4 answer that one, because there was so man --

5 CHAIRMAN BAUMANN: Who issued the permit
6 to install the unit?

7 INSPECTOR DOHERTY: Who issued the
8 permit?

9 CHAIRMAN BAUMANN: Lauren, you got to
10 speak up.

11 INSPECTOR DOHERTY: Lake County was the
12 permit issuer.

13 CHAIRMAN BAUMANN: Lake County.

14 MEMBER ALLGAIER: Who inspected it?

15 INSPECTOR DOHERTY: EIS. I've got the
16 paperwork, too, if you need to see it, whatever
17 you need.

18 CHAIRMAN BAUMANN: Any other questions?

19 All those in favor, say aye.

20 (A chorus of ayes.)

21 CHAIRMAN BAUMANN: All those opposed.

22 The ayes have it unanimously. The
23 variance is denied.

24 Unfortunately, I hate to do this, I

1 know everybody has busy schedules, but most of
2 our meeting is going to be with Dick Gregory and
3 he's on his way.

4 I'd like to recess for a half an
5 hour. And I apologize for this again.

6 MEMBER ALLGAIER: What time is he
7 expected?

8 CHAIRMAN BAUMANN: He said an hour and
9 that was a half an hour ago.

10 Can I get a motion to recess?

11 MEMBER CHRISTENSEN: Motion.

12 MEMBER GANIERE: Second.

13 CHAIRMAN BAUMANN: All those in favor.

14 (A chorus of ayes.)

15 CHAIRMAN BAUMANN: All those opposed.

16 We're recessed for a half an hour.

17 (A short recess was taken.)

18 CHAIRMAN BAUMANN: All right. We're
19 going to move on to -- under new business, we're
20 going to go to Board discussion on temporary use
21 and temporary certificate of operation.

22 Board discussion, Dick Gregory is
23 available for any discussions that we're going to
24 be having. But I have to -- I'm going to read

1 the appendix that's on the agenda.

2 Appendix A. Proposed language from
3 a lobbyist representing Thompson Elevator
4 Inspection Service, Incorporated, Suburban
5 Building Officials Conference (SBOC), Northwest
6 Building Officials and Code Administrators
7 (NWBACA), Illinois Firefighters Association, and
8 Illinois Professional Firefighters Association.

9 Language is "Temporary certificate
10 of operation" means a temporary certificate of
11 operation issued by the administrator or the
12 local administrator that permits the temporary
13 use of conveyance by the general public for a
14 limited time of 30 days while minor repairs or
15 upgrades are being completed. And, 1, as
16 applicable, the Firefighters' Emergency Operation
17 and Car Emergency Signal Code Requirements as
18 referred by the most current edition of
19 ASME A17.1 section 8.10 and ASME A18.1 section 10
20 adopted by the administrator and the
21 administrative rules. And, 2, it is determined
22 by the administrator or local administrator that
23 the conveyance's use will not jeopardize the
24 safety and health of those using or working on

1 the conveyance. If after 30 days an additional
2 inspection of a conveyance determines the same
3 required criteria 1 and 2 as noted above, no more
4 than the additional 30-day extension to the
5 certificate may be granted.

6 Please note: The language above is
7 a proposal of language from a set of stakeholders
8 to the Elevator Safety Review Board for
9 consideration to the topic of temporary
10 certificate of operations and temporary use.
11 This language is currently not endorsed by the
12 Administrator of OSFM.

13 Larry has something to say as the
14 acting administrator.

15 ADMINISTRATOR CHRISTENSEN: Yes, the
16 temporary certificate of operation was discovered
17 by our field inspectors who brought this matter
18 to our attention after performing on-site
19 reviews. The inspection company issued the
20 certificate of operation that violates the codes,
21 such as, nonfunctioning fire alarm initiating
22 devices and numerous other violations were found,
23 posing a danger to the general public, elderly,
24 persons with disability, and first responders.

1 The elevator on temporary
2 certificate of operation was discovered by the
3 Office State Fire Marshal safety division field
4 inspectors in some cases where elevators remained
5 on temporary service for several months, four
6 months, six months, and even years, before a
7 reinspection of violations took place, were
8 addressed by the inspectors. There were
9 instances where issues were passed by the
10 inspector leading to potential hazards not being
11 corrected, even though the violations existed.

12 Concerns were raised about the code
13 violations being overlooked or given extended
14 time frames for completion within the code.
15 Reference is made to this Code 8.10.4, which
16 specifies that all repairs must be completed
17 before placing conveyances in service to ensure
18 public safety.

19 The elevator safety division
20 supports not issuing temporary certificates until
21 all necessary work is complete as outlined in
22 8.10.4.

23 A shortage of inspectors was
24 highlighted leading to delayed inspections for

1 critical safety violations, such as, fire alarm
2 initiating devices. The importance of
3 functioning fire alarm initiating devices for
4 first responders and general public was
5 emphasized. The issue of delayed inspections due
6 to limited inspectors' availability was stressed
7 as a concern impacting public safety and first
8 responders' effectiveness.

9 A scenario was presented where
10 inspectors were unable to return for months to
11 address violations raising questions on how they
12 could promise a quick turnaround for repairs and
13 acceptance inspections.

14 We can't emphasize enough the
15 importance of functioning fire recall systems for
16 the safety both for the fire department and even
17 the general public. A tragic incident occurred
18 where a woman died due to nonfunctioning
19 initiating devices. The woman was inside the
20 elevator and the doors opened when a fire
21 occurred and was burnt to death instantly.

22 This stresses the importance of
23 compliance. The OSFM field inspectors are
24 available to provide various locations in the

1 State of Illinois and will explain where license
2 inspection companies undermine the urgency to
3 reinspect conveyances for compliance to provide
4 safety for the riding public as well as the
5 safety for first responders in case of
6 emergencies.

7 Thank you.

8 CHAIRMAN BAUMANN: Get the response from
9 the inspectors.

10 Which one of you would like to start
11 first? Jim.

12 Demetrios Kouretas.

13 He can spell it for you.

14 INSPECTOR KOURETAS: D-e-m-e-t-r-i-o-s,
15 last name K-o-u-r-e-t-a-s, and I am an inspector.

16 So my incidence was on October 30th
17 or thereabouts, we received a complaint through
18 the OSFM office about an individual who expressed
19 concerns about the safety of elevators in
20 Countryside. Countryside is a municipality
21 agreement, so we normally have no business to be
22 there unless there's a specific incident.

23 So the persons said that the
24 elevators were not functioning correctly and that

1 they've been down, and there's certain things
2 that were never taken care of. And in their
3 opinion, they were unsafe.

4 So we went on site, looked at it,
5 and discovered there was three alterations to the
6 elevators, two tractions and one hydraulic. The
7 hydraulic elevator was out of service for pending
8 work. The two traction elevators were in
9 service. The first one was completed or turned
10 over to temp use on 7/18/2022. So this complaint
11 was in October of '23.

12 The violations were smoke recall
13 systems and shunt trip, the voice phone and video
14 phone, provide 3D detection, fire caulk in
15 hoistway, handrails in cab, machines. Mainlines
16 for the 110 and the mainline disconnects for the
17 elevators were not properly located and they
18 needed to be redone. They also cited AC for
19 the -- they cited AC for humidity control and
20 self-locking door on the machine room.

21 So then the second elevator was
22 turned over to public use on November of '22. So
23 they did first one, temp use, that one. The
24 inspection report we noticed -- and by the way,

1 this was -- because we went to the Village and
2 the Village confirmed these reports. They said
3 see the complaints that were written on the
4 previous elevator. So they weren't specified
5 individually for the second elevator, but they
6 referred to the original elevator.

7 Contacting the municipality we were
8 in communications with them. On 4/1 of '24, they
9 took the two traction elevators -- the hydraulic
10 one was still out of service waiting to be
11 completed and inspections. So on 4/1, they took
12 two traction cars out of service, and they were
13 finally completed 5/2/24. The hydraulic was
14 finally completed 4/25/24.

15 So that's the situation where this
16 particular job went literally almost two years on
17 temp use for two traction elevators.

18 And those were the items.

19 CHAIRMAN BAUMANN: Any questions?

20 I want to know what contractor was
21 involved.

22 INSPECTOR KOURETAS: I'm sorry?

23 CHAIRMAN BAUMANN: What contractor was
24 involved with the --

1 INSPECTOR KOURETAS: The contractor was
2 the --

3 CHAIRMAN BAUMANN: It's a modernization,
4 correct?

5 INSPECTOR KOURETAS: It was the
6 alteration. So the contractor was Suburban
7 Elevator for the alteration.

8 MEMBER ALLGAIER: Who was the inspection
9 company?

10 INSPECTOR KOURETAS: The inspection was
11 Thompson, TEIS.

12 ADMINISTRATOR CHRISTENSEN: Jim, just to
13 reiterate then the whole scenario, it looks like
14 that we stepped in, talked to the fire chief,
15 told him we were putting it on phase 1. In case
16 of any emergencies, you could use it, you know,
17 and take control of the elevator.

18 INSPECTOR KOURETAS: Right.

19 ADMINISTRATOR CHRISTENSEN: I feel if
20 that wasn't done, then -- it turns out the hydro
21 happened to be done a month later and the
22 traction elevators were a couple months after
23 that.

24 INSPECTOR KOURETAS: After that.

1 ADMINISTRATOR CHRISTENSEN: So who knows
2 if the unanimous caller never would have reached
3 out to us, I believe it would still be on public
4 use and the job would be incomplete.

5 INSPECTOR KOURETAS: That's correct. We
6 wouldn't know about it.

7 So this went on until we stepped in
8 because of the complaint to the OSFM, because we
9 had no reason to go into Countryside, like I
10 said, other than, you know, doing our routine for
11 new construction, stuff like that.

12 But once the caller came in, then we
13 had to go and investigate. And then that's when
14 we talked to the municipality, and that's when
15 things started rolling after that.

16 And now all three elevators are in
17 service and completed and inspected.

18 CHAIRMAN BAUMANN: Thank you, Jim.

19 Any other? This is Tom Paskey.
20 He'll spell it for you.

21 INSPECTOR PASKEY: My name is Thomas
22 Paskey. I'm with the OSFM.

23 CHAIRMAN BAUMANN: Can you spell it for
24 her.

1 INSPECTOR PASKEY: P-a-s-k-e-y.

2 And the incident I have is 160 -- at
3 the Bilandic Building at 160 North LaSalle
4 Street, Chicago.

5 We were notified by the elevator
6 contractor and the consultant that they were
7 requesting a variance to have temporary use done
8 on the lack of emergency communication. We
9 denied the emergency communication assistance on
10 this when we found out that also the smoke
11 detectors and FAID detectors for the whole
12 building were not activated.

13 Further investigation we found out
14 that there were six elevators turned over for
15 public use under the temporary use. The smoke
16 systems were not scheduled to be installed and
17 updated for an additional eight months.

18 So this was going -- that we were
19 informed on December 6th of 2022. They were not
20 scheduled to be installed and upgraded until
21 August 27th of '23. At that point we notified
22 our supervisors. And what we did is we had the
23 inspection company who performed the inspections
24 turn the elevators off until the smoke detectors

1 could be done.

2 Further investigation on this
3 determined that they did a temporary use on the
4 smoke detectors, turned everything back over to
5 the public with FAID detectors, everything
6 working at that time.

7 So it was --

8 CHAIRMAN BAUMANN: Go ahead.

9 FAID detectors, you're talking about
10 the fire alarm initiating devices.

11 INSPECTOR PASKEY: Yes, and sprinklers.

12 ADMINISTRATOR CHRISTENSEN: Okay. But
13 it's the smoke detectors, fire alarm initiating
14 devices, these are all --

15 INSPECTOR PASKEY: Yes.

16 ADMINISTRATOR CHRISTENSEN: Plus, Tom,
17 public use started, and we got notified through
18 an anonymous caller in December.

19 INSPECTOR PASKEY: Right.

20 ADMINISTRATOR CHRISTENSEN: We had a
21 meeting. It turns out they started the smoke
22 detector project of 248 detectors on that Friday
23 and were done by Monday.

24 INSPECTOR PASKEY: Correct.

1 ADMINISTRATOR CHRISTENSEN: So --

2 INSPECTOR PASKEY: So temporary use
3 would have been over a year for temporary use
4 until they were able to get the fire alarm
5 initiating devices in phase per what the
6 consultant and the project managers were -- they
7 informed us. So, again, temporary use on this
8 would have been over a year.

9 ADMINISTRATOR CHRISTENSEN: And also the
10 video monitoring system --

11 INSPECTOR PASKEY: Right.

12 ADMINISTRATOR CHRISTENSEN: -- wasn't
13 working, also.

14 INSPECTOR PASKEY: Right.

15 ADMINISTRATOR CHRISTENSEN: During
16 public use?

17 CHAIRMAN BAUMANN: Any questions?

18 MR. GREGORY: Who was the contractor?

19 INSPECTOR PASKEY: The contractor was
20 Smart Elevator and the consultant -- I mean, the
21 inspection company was Area Specialists.

22 CHAIRMAN BAUMANN: Say that again.

23 INSPECTOR PASKEY: Area Specialists,
24 Specialties. I'm not that familiar with them.

1 MR. GREGORY: No.

2 INSPECTOR PASKEY: Jim Bohac.

3 MR. GREGORY: Oh, him I know.

4 CHAIRMAN BAUMANN: Any questions?

5 MR. GREGORY: I'm concerned about Smart
6 Elevator. Suzy has done work in the area where I
7 live and it was substandard. Fortunately it's
8 where the area I live and the public school and
9 my wife is heavily involved in local things, and
10 so she sent me over there and I looked at it and
11 said this, this, this, this, this. And they
12 had -- I can't think of his name right now. He
13 used to be with Dover, ThyssenKrupp, whatever, as
14 a superintendent. I talked to him. He got it
15 fixed because he understood.

16 INSPECTOR PASKEY: Right.

17 MR. GREGORY: But Suzy Atkins, I think
18 is her name. It's not Suzy Smart. But she's
19 dangerous.

20 INSPECTOR PASKEY: Okay.

21 MR. GREGORY: In my opinion.

22 CHAIRMAN BAUMANN: Well, we're talking
23 about the Bilandic Building that was down there.
24 So if you had any more questions about his issue

1 to reference.

2 MR. GREGORY: It's just the contractor
3 that I'm concerned about.

4 CHAIRMAN BAUMANN: Okay. Any other
5 questions?

6 Thanks, Tom.

7 INSPECTOR PASKEY: Thanks.

8 CHAIRMAN BAUMANN: Do we have any other
9 inspectors?

10 All right. Katherine, would you
11 please -- do you have something to --

12 MS. NUNES: Katherine Nunes,
13 K-a-t-h-e-r-i-n-e N-u-n-e-s.

14 Good morning.

15 CHAIRMAN BAUMANN: You got to speak up.

16 MS. NUNES: I'm going to try to project.

17 CHAIRMAN BAUMANN: Yes.

18 MS. NUNES: Good morning, Board, my name
19 is Katherine Nunes, senior policy advisor for the
20 Office of State Fire Marshal.

21 And I wanted to speak to some of the
22 legislative occurrences related to the Board's
23 previous decision regarding temporary use.

24 So prior to the Board's most recent

1 rule making, which was effective December 28,
2 2023, the temporary certificate of operation
3 permitted temporary use of a noncompliant
4 conveyance by general public for 30 days or for
5 construction or demolition purposes.

6 There were concerns noted with the
7 previous process, which have just been addressed,
8 such as, the extended length of time that
9 conveyances were left in temporary use and the
10 items left unaddressed, like, fire alarm
11 initiating devices.

12 Currently temporary use is not
13 permitted except for construction and demolition
14 purposes as specifically allowed in the ASME
15 A17.1, and that's A17.1, 2019 edition.

16 So during the spring, there were two
17 bills introduced on this topic by the State
18 legislature, Senate bill 3694 and House bill
19 5362. The bills made progress through the
20 legislature, but paused in their movement through
21 the State house earlier in the spring.

22 Currently both bills are held
23 through the summer, as the legislature is not
24 currently in session. So the bills don't move,

1 because they're not there to be moving them,
2 doing anything with them.

3 That could change and these bills
4 could be raised again when the legislators return
5 in November.

6 So stakeholders supporting the idea
7 of temporary certificates of operation have
8 continued to offer ideas which the Board can
9 discuss, including proposed language which was
10 included in Appendix A of the agenda and which
11 the Chair read earlier.

12 So as the Office of the State Fire
13 Marshal noted in our last meeting in March, the
14 Joint Committee on Administrative Rules, also
15 known as JCAR, J-C-A-R, had requested the Board
16 report back to the committee at its June 2024
17 meeting regarding if the elimination of the
18 temporary certificate of operation has impacted
19 the publics' access to elevators within the
20 State.

21 The OSFM appeared on behalf of the
22 Board at JCAR's June 4th meeting. Legislative
23 members of JCAR have asked this Board to revisit
24 and discuss this topic again to determine if

1 there are any circumstances under which the
2 temporary certificates could be allowed.

3 So JCAR members at the meeting asked
4 whether there were a narrow set of circumstances
5 for which temporary certificate of operation
6 could be allowed.

7 Specific members suggested items
8 such as a shorter timeline, so 15 days rather
9 than the previous 30 days; whether there were
10 maybe specific kinds of occupancies, such as,
11 residential versus commercial, that could be
12 allowed; specifically addressing return to
13 service or continuance of service rather than the
14 start of new service on installation, which did
15 not seem to cause them as much concern. And
16 other options just generally to prevent persons
17 from being isolated in their residence.

18 A lot of what they were concerned
19 about was this concept of should this happen
20 suddenly and should somebody have an issue, which
21 we had -- I don't know that we've covered this in
22 this meeting. A lot of temporary use goes back
23 to after alteration or after installation, which
24 are multi-week, potentially multi-month

1 preplanned projects. It is not typical to be
2 coming suddenly. It's something that comes after
3 an extended period of time.

4 So as such, Office of the State Fire
5 Marshal appreciates the Board having discussions
6 on this topic today. And I and my colleagues are
7 available to answer questions for the Board.

8 CHAIRMAN BAUMANN: In other words, this
9 is just for modernizations and new constructions,
10 not for repair, not for an emergency repair, not
11 for something that broke on the elevator. And
12 this is, just to clarify it for the new Board
13 members, this is just for new installation,
14 modernization, and construction, correct?

15 MS. NUNES: So the discussion has been
16 that the temporary certificate, again, not
17 currently allowed under the rules, but as it was
18 before, was an allowance for use by the general
19 public of something that was not currently
20 compliant. And the concern has been focused on
21 the return to service or beginning of service
22 that comes either after an alteration/
23 modernization or at a new installation. The
24 continued use of an existing elevator with a

1 current certificate of operation is a different
2 element. So this is --

3 CHAIRMAN BAUMANN: But there's no permit
4 required for a repair, correct?

5 MS. NUNES: I am not able to speak --
6 that's a little too technical for me. I'm
7 guessing that you could direct that to Larry.

8 CHAIRMAN BAUMANN: I knew the answer.
9 I'm just saying there's no permit required for a
10 repair. So I think the legislators were
11 misinformed, because they were thinking that they
12 needed a permit to have these repairs done. This
13 is just for modernizations and new construction.
14 That's what they're asking for.

15 MS. NUNES: What was affected with the
16 rule making was the installation and
17 modernization, what happens after those. It does
18 not affect the continued use of an existing
19 elevator with a current certificate. So
20 hopefully that answers your question.

21 CHAIRMAN BAUMANN: Oh, yeah. Thank you.

22 Any questions for Katherine?

23 No questions.

24 Thank you, Katherine.

1 Now we're going to open it for
2 discussion on the Board. Want to discuss this as
3 per JCAR?

4 Dick, do you have anything, inputs
5 for temporary use?

6 MR. GREGORY: Temporary use?

7 CHAIRMAN BAUMANN: Permit.

8 MR. GREGORY: You need to have -- it's
9 public safety. It's life safety. My father was
10 an elevator mechanic. I'm an elevator mechanic.
11 My oldest and younger sons are elevator
12 mechanics. I have a granddaughter in Norfolk,
13 Virginia, who is an elevator mechanic. And I'd
14 like to keep them all alive. Well, not my
15 father. He's deceased, but...

16 You know, I sit on the A17 committee
17 that writes the code. A lot of people maybe
18 smarter than me, been working on it for years,
19 and it's public safety and the safety of the
20 elevator personnel which is mechanics and
21 inspectors. That's the crucial thing.

22 I've said enough.

23 CHAIRMAN BAUMANN: Any Board members
24 like to speak?

1 MEMBER ALLGAIER: I have a couple
2 questions.

3 First of all, just to understand
4 this, I'm having trouble with this amendment, but
5 it references all the fire service, fire life
6 safety stuff. I'm not clear if that is proposed
7 as an exception. I don't know if maybe our
8 lawyer in the room can help us understand that.

9 Because minor repairs or upgrades to
10 me means nothing related to fire life safety.
11 Like, to me, you'd never let something run
12 without fire life safety. But does this No. 1
13 thing allow for that within this?

14 CHAIRMAN BAUMANN: That's why Katherine
15 wanted to talk about this.

16 MEMBER ALLGAIER: That is her.

17 CHAIRMAN BAUMANN: Yeah.

18 MS. NUNES: So I can answer some of
19 that.

20 From what we have heard from the
21 stakeholders who offered this, that the concept
22 and whether the execution of the specific
23 language gets there is a separate discussion
24 point I think. But the concept that we have

1 heard is that it would allow for "minor items,"
2 and put that in quotes, to not be addressed; but
3 it would require those specific two items that
4 are called out, the fire -- I can't remember what
5 the specific language of it is.

6 MEMBER ALLGAIER: FEO and emergency
7 signal.

8 MS. NUNES: Fire emergency operations
9 and then the two-way communication, that those
10 would not be allowed to be left undone before
11 moving into temporary. So those were two things
12 that had been specifically noted throughout the
13 spring as items of major concern that we
14 continued to see based on the inspectors'
15 examples of what was not done frequently and left
16 for a long period of time. And so stakeholders
17 had suggested maybe if those were specifically
18 must be done items, leaving aside kind of
19 everything else to a flexibility range, that
20 perhaps that would be enough for the Board to
21 feel comfortable.

22 MEMBER ALLGAIER: So the intent is not
23 to include fire life safety stuff?

24 MS. NUNES: The intent as I understand

1 it -- and there are some stakeholders here today
2 who might be willing to talk about it -- was that
3 those items must be complete. So, at least,
4 those two things would be -- would never be
5 allowed to not be done when temporary use was
6 occurring.

7 Does that answer your question?

8 MEMBER ALLGAIER: I'm not sure it's
9 written that way, because my brain can't work.
10 That's the intent. That's good enough.

11 MS. NUNES: The intent we've been given.
12 I don't know if the execution of the specific
13 language quite gets it there. But that's, like I
14 said, a separate question.

15 MEMBER ALLGAIER: So my second question
16 is we have a couple building owners on the Board.

17 My question to you is, because you
18 would presumably be the people that would want
19 this, because you got residents who want to use
20 the elevators, so what's your perspective on it?

21 MEMBER HICKEY: My perspective is
22 inconvenience is a lot cheaper than a lawsuit.
23 And so although it may impact residents on a
24 temporary basis -- and to me, I'd love to see a

1 sunset on what temporary means.

2 MR. GREGORY: Yeah.

3 MEMBER HICKEY: I'd like to see that
4 dialed in a little bit. But you have to think
5 about it wholistically in terms of life safety.

6 That being addressed, I think
7 knowing that anything under temporary use, we
8 know that the life safety systems and the recall
9 systems are intact. I think that's the most
10 important.

11 And I'm at a commercial office, but
12 I've run residential as well and the answer would
13 be the same.

14 MEMBER ALLGAIER: So then I have a
15 comment, too. And that is we're an elevator
16 contractor. And when we do mods and installs,
17 sometimes if you're talking minor things, like,
18 whatever, your Braille plates aren't on the
19 jambs, that would be something that doesn't
20 affect life safety arguably. But usually those
21 little things that are left are on the building
22 owner or the GC to do. And it is helpful to have
23 some leverage to make them get those done in a
24 timely manner if you say you can't use your

1 elevator. Because if they're able to, now we're
2 on the hook for this temporary, and now 30 days
3 there's some expectation from the Fire Marshal
4 that we get it inspected. And we lose our
5 leverage if it's let to operate. But if it's I
6 know you got tenants moving in, you have people
7 complaining, so get these three things done, that
8 is actually useful for us to have.

9 MEMBER HICKEY: I think the sunsets
10 clause would really address that. To me
11 temporary use is exactly that, so let's define it
12 for what it is. If we have a long lead item on
13 that list of honey dos, that can be called out
14 separately. But I would say temporary use is a
15 30 day, and it's on owner to meet that mandate.
16 I mean, I think there's mutual accountability
17 there.

18 But I totally understand the
19 closure. I like it -- keep it tight, so I think
20 you can address that with some type of sunset or
21 some type of time frame.

22 CHAIRMAN BAUMANN: Larry.

23 ADMINISTRATOR CHRISTENSEN: If they were
24 to break out, like, what some people think are

1 miscellaneous items, signage on a door where an
2 individual in Bloomingdale went through there
3 with no signage at all, and he got killed from
4 being in the pit. So if you knew the proper
5 signage, maybe that wouldn't have happened.

6 We also had -- I know this is a
7 different state, maybe Tennessee, something about
8 leakage on a door. Well, should we let that go?
9 Maybe if that hinge on the door would have been
10 closing properly, two fire department individuals
11 wouldn't have got killed, because that door would
12 have been closed. It would have suffocated the
13 fire, and then it wouldn't have got to the fire.

14 So there's a lot of other items that
15 we can address, but they're in this code book for
16 a reason. And that's why the OSFM is going to
17 abide by this code book.

18 And even if it's one incident
19 especially like that, I think it's worth it to
20 address. So and as far as we're concerned, temp
21 use, we don't allow it, so...

22 CHAIRMAN BAUMANN: Dick, did you have
23 something?

24 MR. GREGORY: I agree.

1 CHAIRMAN BAUMANN: Okay.

2 MEMBER MURPHY: I'd like to just say I
3 think on that, most of this stuff is in this book
4 because it happened before.

5 MS. PADILLA: Right.

6 CHAIRMAN BAUMANN: Yes.

7 MEMBER MURPHY: And we try and learn
8 from our mistakes. Instead of moving backwards,
9 stay moving forward.

10 CHAIRMAN BAUMANN: Any other questions?

11 At this time I'm going to open up
12 for public comment. Just on temporary use,
13 temporary certificate of operation.

14 Ben Whipple. Thank you.

15 Stand right here real close to the
16 court reporter.

17 MR. WHIPPLE: Good morning, my name is
18 Ben Whipple, W-h-i-p-p-l-e. I represent the
19 Illinois Professional Firefighters Association.
20 I promise you this looks longer than it is. I
21 work with Margaret Vaughn, so I'm kind of
22 standing in for her today.

23 We're here with a group of other
24 stakeholders who similarly support like we do the

1 language that you read at the beginning of this
2 section of the hearing. Those being IML, the
3 Illinois Municipal League, the Illinois Fire
4 Chiefs Association, the Illinois Firefighters
5 Association, the South Suburban Building
6 Officials Conference, the Northwest Building
7 Officials Conference, the Illinois Council of
8 Code Administrators, and Thompson Elevator
9 Inspection Service. All of them are in favor of
10 the language that is before you today.

11 We passed something similar in
12 Springfield earlier this year that you commented
13 on. It was Senate bill -- or out of the Senate.
14 It was Senate bill 3694, which passed the Senate
15 all but unanimously with a vote of 54 to 1, and
16 then stalled after that, because we're trying to
17 work to get this done right.

18 So what that bill did or would have
19 done had it passed is exactly what you have in
20 front of you except it didn't include the cap on
21 the number of extensions you can get. Right now
22 under the -- to the point about some of these
23 things taking forever, and this not really being
24 permanent, now it's 60 days tops. So it's a

1 30-day temporary certificate that can be renewed
2 one time only. So it's a 60-day cap.

3 And one of the other concerns that
4 we'd heard was sometimes in an elevator we're all
5 well aware your cell phones don't work, so there
6 had to be a mechanism for communication. And so
7 we added that in there. So that's where -- that
8 language is that sort of code about the fire
9 code.

10 MR. GREGORY: Kind of speak up a little
11 bit.

12 MR. WHIPPLE: Yes, sir. Forgive me.

13 So our view, in broad strokes, is if
14 there's anyone who understands the value of
15 elevators, we're here in this room. If the
16 elevators aren't working, you've got potential
17 medical issues, mobility for the disabled,
18 firefighters having to carry somebody up and down
19 perhaps which could be bad for both the
20 firefighter and the person having the medical
21 issue, whatever it is; regular people bringing
22 their groceries up the stairs.

23 So if there's an elevator that needs
24 a repair, but is otherwise deemed by the

1 appropriate jurisdiction to be safe, that's what
2 this is for. And so we'd hope that you'd
3 consider it. We believe we've addressed the
4 concerns, at least, that we were aware of.

5 So that's where we stand. I'm happy
6 to answer questions. If they get technical, I
7 might ask Patty to respond, because she knows
8 this industry, you know, far better than I.

9 CHAIRMAN BAUMANN: You're talking about
10 repair. There's no permit required for repair.
11 That's why it's confusing to a lot of legislators
12 that you're asking for that.

13 What we're talking about is
14 modernization, and it's planned months ahead of
15 time or construction that's planned months ahead
16 of time that should be done, completed when the
17 contractors complete it.

18 What you're asking -- again, I don't
19 want to beat a dead horse, but it's about
20 modernization, that you're putting in a new
21 elevator in an old existing elevator. And we're
22 talking about things that are going to be taking
23 months to do, not just a week, not just a couple
24 days, not 30 days. It's going to take months to

1 do, and you're asking for a longer period of
2 time.

3 And if you listened to what the
4 inspectors had found, they found life safety
5 issues about the fire alarm initiating device,
6 about the smoke detectors, about the telephones
7 sometimes that are in there. For almost two
8 years that went on. So, I mean, you did hear
9 what they were talking about, and you represent
10 the fire -- I'm sorry, you represent the
11 firefighter -- I'm sorry, Professional
12 Firefighters, Firefighters Association. And all
13 these guys, all these members, are okay with not
14 having the fire service or the smoke detectors or
15 the fire alarm initiating device operational on a
16 new mod?

17 MR. WHIPPLE: So to answer your first
18 question, yes, I represent the Professional
19 Firefighters Association, and the idea is -- and
20 if I stumbled over language, forgive me, I'm not
21 trying to -- any slight of hand at all. But if
22 it's not safe, it won't be deemed safe by the
23 appropriate jurisdiction, so none of this
24 applies. You can't use it.

1 Our view is if it is deemed safe by
2 the appropriate jurisdiction, then this would be
3 triggered, and then we added caps -- I was under
4 the impression it came from your organization of
5 capping it 60 days, so it didn't go forever, and
6 making sure there's a communication mechanism
7 inside the elevator. So if I misspoke, forgive
8 me. That's just me.

9 CHAIRMAN BAUMANN: Okay. I just want to
10 clarify it. That's all.

11 MR. WHIPPLE: No, I appreciate that.
12 Thank you.

13 CHAIRMAN BAUMANN: Any questions?

14 MEMBER ALLGAIER: Yeah.

15 Can you give some examples of --
16 we've talked about the major things, fire life
17 safety stuff not working, the reasons why we
18 shouldn't run an elevator without that stuff
19 working.

20 What are some of these minor repairs
21 or upgrades? Because maybe those examples will
22 help.

23 MR. WHIPPLE: Would you be able to let
24 Patty answer those questions?

1 CHAIRMAN BAUMANN: She's going to be
2 speaking next. If you want to relate --

3 MEMBER ALLGAIER: So that question is a
4 holdover to her.

5 CHAIRMAN BAUMANN: Yeah.

6 Any other questions for Ben?

7 Thank you, Ben. Appreciate it.

8 MR. WHIPPLE: Yep.

9 CHAIRMAN BAUMANN: Patty Young.

10 Patty, can you speak up, spell your
11 name for --

12 MS. YOUNG: I'm going to sit right next
13 to her.

14 CHAIRMAN BAUMANN: Good deal.

15 MS. YOUNG: I'm going to use my
16 gymnasium voice, too.

17 CHAIRMAN BAUMANN: Good.

18 MS. YOUNG: Patty Young, P-a-t-t-y
19 Y-o-u-n-g. So I'm with Thompson Elevator
20 Inspection Service.

21 Welcome the new members, and I'm
22 glad to have a healthy discussion on a topic that
23 we have been discussing for quite sometime now.

24 I do want to clarify with Ben that

1 it is related to a permit. It is not considered
2 just a routine repair of, let's say, change out
3 the alarm bell. It is triggered by the permit.
4 And as we all know, we have new installations and
5 we have existing buildings which typically would
6 be focused on the full modernization. So we do
7 have other kinds of permits, but usually those
8 are more specific by a one-item type of scenario.

9 With that being said is that the
10 Board had expressed, from what I understand --
11 and, Katherine, you may be able to support
12 this -- is the language that was presented to you
13 was to focus on the two items that the Board was
14 concerned about. And that is for the
15 firefighters emergency and operation and also the
16 car emergency signaling code. So basically we're
17 really looking at section 2.27.

18 So the other aspect was we didn't
19 capture the A18 code book, which would be more
20 for your platform lifts, more handicap type of
21 units.

22 So the word as applicable in here is
23 meaning what kind of unit, because most of our
24 brains are usually thinking of a traditional

1 elevator, your hydraulic elevators as a passenger
2 elevator and traction elevators. So we need to
3 make sure we also cover the handicap A18 type of
4 unit, so that's why the word as applicable is in
5 there.

6 I think that kind of might address
7 your concern, Allison, on the as applicable. I'm
8 not sure. So hopefully that addresses that.

9 We know the history of the temp use.
10 Larry, I don't know if you had this
11 or Scott.

12 But the history of the temp use
13 language really comes from the model act that the
14 work preservation fund had presented and has gone
15 to each state to present an elevator model act.

16 And that started in calendar year
17 2003, and pretty much it had not really changed.
18 And that each act, 2005 94-698, the public act,
19 then in public act 95-573, it was still present.
20 And it was still present in public act 94-573.

21 So in 2023 is when the temp use got
22 removed. So the State Fire Marshal's Office and
23 this elevator board had not looked at temp use
24 from 2003 to 2022. That's quite a few years.

1 And now it is a very, very hot topic. So the use
2 of the temporary use was driven for a permit and
3 allowed that flexibility for what Allison was
4 bringing up about the Braille is, is the
5 functionality of the elevator, is it being
6 impacted by the Braille. Is the functionality of
7 the elevator for possibly signage affecting that.
8 So the focus is on minor items.

9 I can't remember which Board meeting
10 it was, Dan, but we had conversation as a Board
11 and as public comment about creating a committee
12 to help define specific things. So now the Board
13 had presented the fire service and the car
14 emergency. That was the beginnings of what is a
15 requirement that would not allow a temp use if
16 those items were not completed.

17 However, I believe there needs to be
18 more discussion as to what is truly the
19 definition of minor. Us as an industry have
20 always categorized it as major and minor, but we
21 haven't really gotten down to the brass tacks of
22 what is major and what is minor. And then review
23 those and take a look at what could have the
24 ability for a temp use certificate for 30 days

1 and not endanger anybody. Because we all know
2 that safety is our number one reason that we're
3 all in this room.

4 And that's all I have.

5 CHAIRMAN BAUMANN: Thank you.

6 Any questions for Patty?

7 MEMBER ALLGAIER: Yes.

8 CHAIRMAN BAUMANN: Allison.

9 MEMBER ALLGAIER: So I was looking for
10 examples. You say from 2010 to 2022 temp
11 certificates were allowed. And you guys did a
12 lot of inspections, so can you give us examples
13 of the things that you permitted to not be done,
14 these minor repairs or upgrades that you
15 permitted not to be done, and you issued
16 temporary COOs.

17 MS. YOUNG: A lot of them ended up being
18 building owner, general contractor
19 responsibilities, because --

20 MEMBER ALLGAIER: Such as what?

21 MS. YOUNG: Oh, signage, for example,
22 the Braille, because you need to have that
23 presented, for being displayed.

24 It could be the fire extinguisher

1 that's in the room is out by a month and just
2 needs to be replaced. So that can be considered
3 a minor item. The fire extinguisher will
4 probably still work. It's just expired by maybe
5 a month. So those are the things we can look at
6 and define.

7 CHAIRMAN BAUMANN: Dan.

8 MEMBER O'DONNELL: How would this be
9 monitored? So if Thompson would issue the
10 temporary acceptance or temporary use permit, how
11 would you, like, control that to know to go back
12 in 30 days or 60 days, how --

13 MS. YOUNG: When they set up a permit
14 inspection, we're going to have two dates that
15 you as the permit holder have to commit to. So
16 if the first permit inspection is not done, then
17 you already have your next date for the next
18 30 days; and if it's not done, then the elevator
19 can have that second date that was listed in
20 here. So a total of 60 days which aligns with
21 what the State Fire Marshal issues as a 60 day
22 when there's not a current certificate of
23 operation. So that's where that tries to align
24 with.

1 And then if that's not done, then
2 another 30 day would be -- a permit inspection
3 would be on the calendar for that. And then we
4 would have the elevator company come out with us,
5 and we would shut off the elevator.

6 MEMBER O'DONNELL: So that would be
7 Thompson Inspection saying, hey, it's 30 days
8 from today we're coming back out to either
9 check --

10 MS. YOUNG: No, you have a confirmed
11 appointment with Otis.

12 MEMBER O'DONNELL: So you set that
13 30 days in advance?

14 MS. YOUNG: You would have to confirm
15 both of those and do all the requirements for
16 that, for setting up that appointment.

17 MEMBER O'DONNELL: And would Thompson be
18 the only one that would know about that extension
19 for the temporary use permit? Like, the
20 inspection company is in control of the issuance
21 of the temporary acceptance?

22 MEMBER ALLGAIER: As opposed to, like, a
23 sign in the elevator?

24 MEMBER O'DONNELL: Well, instead of

1 having to apply for this temporary acceptance,
2 it's done at the time of inspection? You don't
3 pass your inspection, you're issuing a temporary
4 acceptance.

5 MS. YOUNG: Correct, for the 30 days,
6 the inspection report would state that, and you
7 would have your next date, which is basically
8 30 days out from that point.

9 So the goal really never should have
10 a failure. When you call for a permit
11 inspection, everything should be done. So the
12 elevator companies as the permit holder need to
13 make sure everybody, the Village that is needed
14 to get an elevator compliant, everybody has done
15 their piece. We would not be sitting here having
16 that conversation if that was the case.

17 MEMBER O'DONNELL: Right.

18 MS. YOUNG: It should be a one and done.

19 CHAIRMAN BAUMANN: Another question,
20 Barbara.

21 MEMBER HICKEY: So I think it would be
22 helpful specifically around liability that owner
23 needs to be there for that inspection, right, and
24 that it's not happening in a vacuum. Because

1 it's ultimately their money. It's going to be
2 their construction loan, it's going to be their
3 insurance that's going to be impacted, right, if
4 this extension is granted or if this temporary
5 condition is granted.

6 And then is there any type of caveat
7 that calls into question you come back after that
8 30 days and not only are the five things that
9 were accepted for temporary use not solved, but
10 there's an additional violation? To me that
11 would be reason to just cut that temporary use.

12 But I think that for financial and
13 legal reasons, the owner should be involved in
14 those conversations.

15 MS. YOUNG: In my opinion, the ownership
16 is always involved, because they bring in through
17 their general contractor and their elevator
18 company people that are to --

19 MEMBER HICKEY: Well, they're paying
20 everybody is my point.

21 MS. YOUNG: Right, yeah.

22 MEMBER HICKEY: And so as the one that's
23 paying everybody, I think it would be an
24 important part to make sure they're part of that

1 process and signature is required, right.

2 I mean, a lot of the softer things,
3 the architectural components that do have life
4 safety implications, i.e., the signage that was
5 referenced, I can pick up something from Grainger
6 with Braille on it. It's not architecturally
7 what I want, but I should have ordered it sooner,
8 right. I mean, there's things that can be solved
9 for that 30-day window. But I think you have to
10 make sure that that's a full circle conversation.

11 MS. YOUNG: In my opinion, the biggest
12 challenge is logistics. It is the planning. And
13 what Dan was saying is, yes, on a full
14 modernization, it is known this is going to take
15 place. All the pieces should be completed and in
16 place. Like you said, it's easy to call Grainger
17 and get the Braille. So when it is called for
18 permit inspection, it's like if I were to go to
19 see the Chicago Symphony and all of a sudden the
20 trumpets are warming up and they don't have their
21 act together, why did I -- why do we have the
22 performance. It should be perfect. It should
23 pass on that first permit inspection.

24 CHAIRMAN BAUMANN: Dick.

1 MR. GREGORY: I'll let the lawyer
2 comment on this, but an elevator -- for
3 information, an elevator is a common carrier. As
4 such, the owner of the elevator owes the highest
5 duty of care.

6 MS. YOUNG: Correct.

7 MR. GREGORY: They can do all kinds
8 of -- and it's not assignable. They can do all
9 kinds of stuff with their agreement with their
10 maintenance companies and whatever. But they're
11 still the owner and they owe the highest duty of
12 care.

13 MEMBER HICKEY: Agreed.

14 MS. YOUNG: I don't think anybody is in
15 disagreement about that, Dick.

16 CHAIRMAN BAUMANN: Any questions?

17 ADMINISTRATOR CHRISTENSEN: Yeah.

18 CHAIRMAN BAUMANN: Larry.

19 ADMINISTRATOR CHRISTENSEN: Well, it
20 turns out the FAID --

21 CHAIRMAN BAUMANN: Go ahead.

22 ADMINISTRATOR CHRISTENSEN: The FAID
23 testing that was passed to do every five years
24 was made in 2021. So now that our field

1 inspectors have gone out and checked and noticed
2 how many violations are out there in regards to
3 these fire alarm initiating devices and noticed
4 all deficiencies, but then there's still public
5 use, we find that as a serious condition of
6 having these elevators run with fire initiating
7 devices is totally unacceptable. I just can't
8 understand that.

9 First of all, it was the best thing
10 that ever passed through the Executive Board's --

11 CHAIRMAN BAUMANN: Committee.

12 ADMINISTRATOR CHRISTENSEN: -- the
13 committee here that passed this for every five
14 years for us to even notice this, and now we
15 can't take action to be able to enforce this
16 code. I just don't get it.

17 Now, you can talk about the signage.
18 I already went over about the fatality that
19 happened there.

20 We could talk about the door hinge
21 that maybe people think these are issues that
22 don't need to be addressed.

23 And as far as tactile, let's see,
24 you get fined \$100 a day if it's not on there.

1 And let's call ADA to find out why. You know,
2 anything else we have that we can find out that
3 is totally, I guess, you call minor.

4 CHAIRMAN BAUMANN: Is that it?

5 ADMINISTRATOR CHRISTENSEN: Yeah, that's
6 it.

7 MEMBER GANIERE: I just have basically a
8 comment. I'm actually going to agree with Patty
9 on that issue.

10 I can see where there might be at
11 times a need for a temporary permit. My question
12 or my comment here, this language is way too
13 vague. Minor is left up to interpretation. I
14 don't know how many people, what minor can be. I
15 mean, okay, I consider minor putting in the new
16 installation, the carpet came with the elevator,
17 but it was ripped. So you can't put it in. You
18 can't put the carpet in. Okay. You can get on
19 that elevator without that carpet being there,
20 use it very safely. But someone else might say,
21 well, that's major; or someone else might say,
22 ah, the smoke alarm is not working, that's just
23 minor, we can issue a permit.

24 That language is way, way too vague.

1 In order to even consider it, there would have to
2 be almost a list of what is considered minor
3 things that would allow temporary use in the
4 elevator, not left up to someone's
5 interpretation.

6 That's my comment.

7 CHAIRMAN BAUMANN: Good comment.

8 Katherine.

9 MS. NUNES: I have a couple points of
10 clarification.

11 MS. YOUNG: I'm finished.

12 CHAIRMAN BAUMANN: Can you come up here
13 and speak here.

14 You're done.

15 MS. YOUNG: I'll stay here.

16 CHAIRMAN BAUMANN: Okay. I was going to
17 keep it there.

18 MS. YOUNG: No.

19 CHAIRMAN BAUMANN: Thank you, Pat.

20 MS. NUNES: Katherine Nunes again.

21 So just a couple of Patty's --
22 sorry, projecting extra. Just a couple of
23 Patty's points.

24 For the appendix language, to

1 clarify, this is not offered by the State Fire
2 Marshal's Office. We have relayed some of the
3 concerns that have been noted to the
4 stakeholders, and the proposed language is their
5 responsive suggestions. So to that idea of
6 specifically calling out the FAIDs and
7 specifically calling out the communication, those
8 were concepts offered by the stakeholders. So I
9 just want to be clear where that idea is coming
10 from.

11 At this time, the office has
12 basically just continued to suggest that
13 stakeholders be able to engage with the Board
14 directly and hear the Board's decision, because
15 we have been acting on your previous decision in
16 rule making to not allow temporary certificates.

17 So all those items that are elements
18 of that appendix language are not necessarily
19 endorsed, not necessarily a concept of the
20 office, but a result of discussion where we have
21 made notes of some of the concerns that have been
22 raised to us.

23 I would also note Patty mentioned
24 the various statutory changes, those 95 dash

1 whatever. That is a way of tracking public acts.
2 Those early ones are not what this conversation
3 is based on. The conversation is based on the
4 action that the Board took for rule making in
5 2023, which then created those rules, conditions.
6 So I just want the Board to be aware that while
7 this language is also offered conceptually, I
8 think as a potential addition to the statute,
9 that it's not necessarily that which would create
10 this, that if the Board were so inclined, to go
11 in the direction of allowing temporary use, that
12 that would, most appropriately, I believe, be
13 addressed in your rule making through that
14 process.

15 So I just wanted to raise those
16 couple of concepts for clarification.

17 Did anybody have anything else for
18 me just since I'm here?

19 CHAIRMAN BAUMANN: Any other questions
20 for Katherine?

21 None being so. Thank you,
22 Katherine.

23 MS. NUNES: Thank you.

24 CHAIRMAN BAUMANN: Any other questions?

1 Allison, go ahead.

2 MEMBER ALLGAIER: Kind of tagging on
3 what Tom said. I think we're saying when should
4 we allow exceptions. And to me there's an
5 argument for making exceptions. If there's
6 something that truly has no impact on public
7 safety and is arduous to ask someone to complete
8 now. So that's why I was looking for what are
9 examples of this. If there's a missing Braille
10 tag, I can call Quality Elevator and have it
11 overnighted and it's here tomorrow. If I have an
12 expired fire extinguisher, I go down to Home
13 Depot and buy it.

14 Why are we just saying let's wait
15 30 days? Like, what is there? I don't see any
16 driving need of these things that are really hard
17 to finish up. And I think opening up just messes
18 up the whole system. Who's keeping track of it;
19 who is enforcing it? Now we got two different
20 kind of COOs, and the Fire Marshal's -- yeah, I'm
21 not seeing something driving us towards, yes,
22 here is a huge inconvenience to the riding public
23 that can't be solved for 30 days. Yeah, I'm not
24 seeing where there is.

1 CHAIRMAN BAUMANN: Any other
2 suggestions, Dick?

3 MR. GREGORY: Just for all you licensed
4 inspectors, from, you know, NAESA, look on your
5 NAESA website, and remember when the Wisconsin
6 Elevator Symposium will be. It's very
7 worthwhile.

8 CHAIRMAN BAUMANN: Demetrios Kouretas.

9 INSPECTOR KOURETAS: Yeah, for public
10 comments, you know, we've been in -- I've been in
11 this business for quite a long time before I
12 became an inspector. And, first of all, the code
13 book was written specifically because of items
14 that were a necessity to keep to make everybody
15 safe, whether it's workers, whether it's people
16 using it, and everything else.

17 I believe if this 30 day is
18 extended, which to Larry's words earlier we found
19 a lot of this stuff because FAID, firearm
20 initiating device and testing, showed that this
21 temporary stuff for years went unhooked. And
22 they were tucked in elevator controllers and
23 everything else.

24 The other thing is there was a lot

1 of people talking about the inconvenience to the
2 residents, to the building managers, and
3 everything else.

4 I'm going to give you a very high
5 susceptible item here, and there's a lot of you
6 that are contractors here. You turn an elevator
7 over for 30 days with the premise that it's going
8 to be completed, and if it's not, you're going to
9 shut it down. You have an elevator company
10 that's got two alterations, which a lot of them
11 are more than single. And are you going to ask
12 them to forget about their schedules and stop
13 working completely while you let one go and it's
14 completed; or are they going to take the second
15 elevator out of service to start working on it?
16 Then the inspector goes back 30 days and shuts
17 it. Now the building has no elevator service
18 whatsoever, because that 30 day first was not.

19 If they're going to extend it to
20 60 days, are you going to tell this elevator
21 company or any other elevator company that you're
22 not going to work for 60 days until the first one
23 is completed? I think that that would create a
24 logistical nightmare for the contractors, for the

1 people and everybody else that you're going to go
2 60 days and possibly shut an elevator down if you
3 let it go originally and allow the contractor to
4 take additional elevators or conveyances out of
5 service. I think that's a big if. And trying
6 to -- unless you put a line item on minor and
7 major issues, interpretations are
8 interpretations.

9 CHAIRMAN BAUMANN: I think Barbara hit
10 it on the head when she says liability supersedes
11 the inconvenience. It's much -- more concerned
12 about the safety of the riding public and the
13 employees working on them than I am about
14 inconveniencing anybody.

15 MEMBER ALLGAIER: Especially when
16 they're not big things that are hard to finish.

17 CHAIRMAN BAUMANN: But unfortunately, we
18 just saw a couple of instances where it was life
19 safety involved that had separate permits on it.

20 MEMBER ALLGAIER: Right, should never
21 have been attempted.

22 CHAIRMAN BAUMANN: So that's where it
23 has to be spelled out a little bit clearer,
24 because that is not clear. Clear as mud.

1 I'm sorry, did you have something to
2 say?

3 MR. CUNNINGHAM: Kevin Cunningham.

4 Just from the public aspect of it,
5 I've been in the trade for 40 years and a QEI
6 guy. I'm a consultant. I'm a businessowner.

7 One thing I do know for a fact,
8 everybody here knows this, that if you do not
9 say, hey, guess what, I'm not turning the
10 elevator over on temp, that company is going
11 to -- they're going to go bonkers to get their
12 money and they're going to fix whatever is wrong.
13 Given something on a temp, there's no need for
14 it. In my opinion, just as the public guys, you
15 guys do whatever you want to do, but they're
16 going to jump on the ball and they're going to
17 fix that elevator.

18 Because on a temp, they're going to
19 get paid. Guess what, it gets put on the back
20 burner. You don't turn an elevator over, they'll
21 have six crews out there the next day.

22 So, again, just my opinion.

23 CHAIRMAN BAUMANN: Kevin, do you mind
24 filling out a form up here for me, so we can have

1 it on the record.

2 MR. CUNNINGHAM: Sure.

3 CHAIRMAN BAUMANN: Thank you.

4 Any other comments since I opened it
5 up; any other suggestions?

6 MEMBER O'DONNELL: One more question.

7 CHAIRMAN BAUMANN: Go right ahead.

8 MEMBER O'DONNELL: So, Patty, how often
9 does this impact you as having to issue a
10 temporary acceptance?

11 MS. YOUNG: Depends upon what the
12 situation is with the unit.

13 CHAIRMAN BAUMANN: You got to speak up,
14 please.

15 MS. YOUNG: Depends upon the unit and
16 the building type. Primarily it's the use of the
17 building that is the most impactful. So you've
18 got your hospitals, your nursing homes, your
19 condo/apartment scenarios.

20 Office buildings have more of a
21 Monday through Friday life and actually are
22 becoming much more of an abandoned building by
23 today's standards since we're post-COVID.

24 But those three environments are the

1 ones that are mostly impacted.

2 MEMBER O'DONNELL: But I'm saying how
3 often has this impacted you where you've had to
4 say we need to issue a temporary acceptance?
5 Because, I mean, I know your company and you guys
6 follow the rules very strictly, right. So there
7 isn't usually something that slides by or given
8 leeway on.

9 But, like, now, since this has gone
10 into effect, would you say this happens on a
11 regular basis that you need to look for a
12 temporary acceptance or --

13 MS. YOUNG: Again, I would say it
14 depends upon the building situation. When you
15 are putting people that rely on the contractors
16 who are being hired to do the job and they're not
17 doing the job by not having all of the
18 necessities in order to pass the inspection, that
19 puts those people potentially in a health and
20 well-being crisis. Because, you know, that
21 person bought a condo when they were in their 20s
22 and they're on the top floor, and they've aged
23 out and they are -- they don't have another
24 means. And so who is the owner? It could be an

1 HOA. It could be an apartment corporation type
2 of thing.

3 MEMBER ALLGAIER: I think -- you're not
4 asking hypothetically. What percentage of you're
5 inspections do you do COO?

6 MS. YOUNG: I don't have a percentage.

7 CHAIRMAN BAUMANN: One at a time,
8 please.

9 MEMBER O'DONNELL: Are we not turning
10 over the elevators because the fire caulking
11 isn't complete in the hoistways or patching that
12 has to be done?

13 MS. YOUNG: I would say, yes, a lot of
14 those things end up being why elevators are not
15 able to pass their permit inspection.

16 So, again, I would imagine your
17 company as being Otis has an incredible checklist
18 that you're working with the general contractor;
19 and before you put the permit request in, you've
20 gone over all of those items. So if you have not
21 gone over those items, you shouldn't be calling
22 for a permit inspection. We should walk in and
23 it should be done.

24 MEMBER O'DONNELL: Then we wouldn't need

1 a temporary acceptance, right?

2 MS. YOUNG: That's the goal.

3 CHAIRMAN BAUMANN: Wait, one at a time,
4 one at a time, please.

5 MS. YOUNG: There will always be a
6 situation.

7 MEMBER O'DONNELL: I do understand that.
8 I mean, there's always something that comes up.

9 MS. YOUNG: There is do-gooders, there's
10 procrastinators, and there's I'm never going to
11 do it people. So everybody knows that
12 environment.

13 And whoever the building owner --
14 going back to Barbara's point, whoever they bring
15 in needs to keep their feet to the coals to get
16 it done. So somebody has got to step up their
17 game in terms of the completion.

18 CHAIRMAN BAUMANN: Okay. Any other
19 questions?

20 Eddie.

21 MEMBER CHRISTENSEN: Motion to deny.

22 CHAIRMAN BAUMANN: Motion to deny?

23 MEMBER CHRISTENSEN: Yeah.

24 CHAIRMAN BAUMANN: Keep as it states

1 now, correct?

2 MEMBER ALLGAIER: I second.

3 CHAIRMAN BAUMANN: It's been moved and
4 seconded.

5 I'm going to have a roll call vote
6 on this.

7 Start with --

8 (Discussion off the record.)

9 MEMBER GANIERE: Question, Ed, just to
10 be clear, Ed, just to be clear, your motion would
11 be to reject the proposed language; is that
12 correct?

13 MEMBER CHRISTENSEN: Yes.

14 MEMBER GANIERE: Okay.

15 MEMBER CHRISTENSEN: I like to make it
16 short and sweet, Tommy, and on and on.

17 CHAIRMAN BAUMANN: Any other questions
18 on the motion? It's been moved and seconded.

19 Juan Gonzalez?

20 MEMBER GONZALEZ: Aye.

21 CHAIRMAN BAUMANN: Ed Christensen.

22 MEMBER CHRISTENSEN: Aye.

23 CHAIRMAN BAUMANN: Danny O'Donnell.

24 MEMBER O'DONNELL: Nay.

1 CHAIRMAN BAUMANN: Allison.

2 MEMBER ALLGAIER: Allison Allgaier, aye.

3 CHAIRMAN BAUMANN: Henry.

4 MEMBER THOMPSON: Henry Thompson, aye.

5 CHAIRMAN BAUMANN: Thomas.

6 MEMBER GANIERE: Tom Ganiere, aye.

7 MEMBER JIRIK: Thomas Jirik, aye.

8 CHAIRMAN BAUMANN: Barbara.

9 MEMBER PADILLA: Barbara Padilla, aye.

10 MEMBER MURPHY: William Murphy, yes,
11 aye.

12 MS. HICKEY: Barbara Hickey, aye.

13 CHAIRMAN BAUMANN: And Ms. Edwards
14 stepped out.

15 (Discussion off the record.)

16 CHAIRMAN BAUMANN: She missed. But we
17 have a unanimous vote so far, so...

18 MEMBER CHRISTENSEN: No, you don't.

19 ATTORNEY GERTZ: You had one objection.

20 CHAIRMAN BAUMANN: Oh, I'm sorry, I
21 apologize, one nay.

22 MEMBER O'DONNELL: Yes.

23 CHAIRMAN BAUMANN: And your vote? I'm
24 sorry. We just did the vote to accept the

1 language or deny. The motion was to deny the
2 language.

3 MEMBER EDWARDS: Has everybody said aye
4 already?

5 CHAIRMAN BAUMANN: Yes. We're waiting
6 on you.

7 MEMBER EDWARDS: Aye.

8 CHAIRMAN BAUMANN: We have nine -- eight
9 for, one against, right?

10 Nine for, one against.

11 Okay. That being said, moving on to
12 new business with Dick. New code updates. Board
13 consultant Dick Gregory is available for the
14 Board questions and discussion. Do you want to
15 discuss the new updated code?

16 MR. GREGORY: Well, basically the
17 American Society of Mechanical Engineers Elevator
18 Code Committee, whatever we call ourself, we
19 update the codes on a three-year cycle. So A17.1
20 is updated from 2009 to 2022. I didn't bring my
21 computer, so I am not in a position to tell you
22 what changed. But A17.2 is updated in 2023. All
23 these are in case of 18.1, 2023, all these are --
24 we're in '24, the entire history.

1 Then people movers are '21.
2 Temporary use you want me to comment on that?
3 What do you want me to comment on?

4 (Discussion off the record.)

5 CHAIRMAN BAUMANN: No, temporary use is
6 closed.

7 MR. GREGORY: Good.

8 CHAIRMAN BAUMANN: The issue they had
9 with -- not the issue. I'd like to discuss a
10 little bit A17.1, 2022 door lock monitoring.

11 MR. GREGORY: The door lock monitoring
12 was added in. Too many times elevator personnel,
13 mainly mechanics, but it could have been
14 inspectors, put jumpers on the hoistway door
15 interlocks to do maintenance or repairs or
16 something, and then they forget to take the
17 jumpers off. And then there's a serious
18 accident.

19 As a consultant, I've been involved
20 in reviewing some of these, and I won't go into
21 them. But the door lock monitoring was put in so
22 that people do not put jumpers on hoistway door
23 interlocks.

24 CHAIRMAN BAUMANN: At the last meeting,

1 we had -- we didn't have an actual meeting. We
2 had a presentation from Russ Larson.

3 MR. GREGORY: Yes.

4 CHAIRMAN BAUMANN: Discussed about the
5 door lock monitoring. So the members of the
6 Board that were here at that time heard it, have
7 a little bit more knowledge than our newer
8 members that just started. So that's why we want
9 to bring it up.

10 MR. GREGORY: Yeah. I've had a number
11 of cases including one I could walk to from the
12 house where I was raised in on Mildred Avenue,
13 south of Diversey. And the case was at the
14 hospital at the north where it terminated. It's
15 got a new name. Where they didn't have door lock
16 monitoring, and a carpenter got caught
17 fortunately at the hips when the Westinghouse REL
18 moved because jumpers were left on. And the hips
19 -- and he's in the hospital, you know. They
20 quickly got him loose and fixed him all up. But
21 that's luck. Door lock monitoring is to get rid
22 of luck and have it real all the time.

23 What other have you brought me?

24 CHAIRMAN BAUMANN: That was it.

1 Anything -- we're going to open up --

2 (Discussion off the record.)

3 ADMINISTRATOR CHRISTENSEN: Well, it
4 turns out to be simplistic about it. The car's
5 on inspection. You hit a switch to jump it out,
6 let's say, a solid state board. If they were to
7 put that on automatic accidentally, it wouldn't
8 run, because that other switch is activated for
9 it not to run. Whereas if you -- the older
10 system, if you put a jumper on and you put it on
11 automatic, the elevator would run with the doors
12 open.

13 MR. GREGORY: Yeah.

14 ADMINISTRATOR CHRISTENSEN: So this door
15 lock monitor system prevents that.

16 MR. GREGORY: It's a crucial and
17 worthwhile safety upgrade.

18 CHAIRMAN BAUMANN: Great.

19 Now we're going to be -- any public
20 comment?

21 MR. FINN: Maybe not public comment,
22 but --

23 CHAIRMAN BAUMANN: I need you to fill
24 out a form for me, too.

1 MR. FINN: I will fill out a form.

2 CHAIRMAN BAUMANN: And you're going to
3 have to speak loudly and spell your name.

4 MR. FINN: I think I can speak pretty
5 loudly.

6 My name Dennis Finn, spelled like it
7 sounds with two Ns on the Finn.

8 The question is, that I have, when
9 do we think, does anybody have any idea, an
10 estimated time when these codes will be adopted
11 and become enforceable in the State of Illinois?

12 MS. NUNES: I can, at least --

13 CHAIRMAN BAUMANN: Speak up, Katherine.

14 MS. NUNES: Katherine Nunes again.

15 So the typical timeline for adoption
16 of codes is once the Board makes a decision on
17 the specific language then it can be filed, sent
18 to -- for first notice of consideration, second
19 notice of consideration. That process can take,
20 if it's super speedy, six months, but usually
21 takes closer to a year. So that's a rough
22 estimate of how long rule making takes. So that
23 would be your rough estimate of effective date.

24 MR. FINN: Okay. From today or from

1 publication?

2 MS. NUNES: From --

3 MR. FINN: Best estimate. I won't hold
4 you.

5 MS. NUNES: Publication is sort of a
6 questionable date as well. So I don't believe
7 the Board has specific language today. But if
8 they assumed that the language was voted on
9 today, then we would say roughly a year.

10 MR. FINN: Thank you.

11 MS. NUNES: So it may be before, it may
12 be around, it may be close.

13 MR. FINN: Thank you.

14 CHAIRMAN BAUMANN: Any other questions?
15 Patty.

16 MS. YOUNG: Patty Young, Thompson
17 Elevator Inspection Service.

18 Larry, maybe you can address this.
19 Each time a code edition has been adopted, the
20 State Fire Marshal's Office has issued out a
21 letter indicating how to handle permits. So we
22 kind of have that line-in-the-sand date, because
23 I think that's tying into what Dennis is getting
24 at is how to -- you're going under contract with

1 a building owner, to know, like, a full
2 modernization which code it will be permitted
3 under. So Katherine has kind of given a timeline
4 that if the Board votes today and everything gets
5 filed tomorrow and it's six months it could be
6 cal -- the first of the calendar year. However,
7 if there's delays, it may be -- Katherine, would
8 it be maybe toward the spring session, the end of
9 the spring session?

10 MS. NUNES: It could end up being June.
11 You could choose a delayed effective date.
12 There's ways to address, so it's not -- even the
13 rule-making process, that date where it finishes,
14 you can choose a later date. So it's a little
15 bit flexible about what becomes the date on which
16 the codes are effective.

17 So, I mean, I know that's not the
18 most helpful.

19 ADMINISTRATOR CHRISTENSEN: Once that
20 date is effective, then we send a letter out to
21 let everybody know.

22 MS. YOUNG: And that's what we rely on,
23 because it's that nail-biter time of when is it
24 official.

1 So my recommendation or our position
2 would be that you have to prepare your building
3 owners to be ready to have this additional item
4 that the code is requiring. You can always
5 exceed the code.

6 CHAIRMAN BAUMANN: Is that it?

7 MS. YOUNG: I'm just trying to chime in
8 to help, Dennis.

9 MR. FINN: Thank you.

10 ADMINISTRATOR CHRISTENSEN: At least,
11 you can say the Board passed it. It's going to
12 happen within the year and then you notify your
13 building owners, this is coming.

14 (Discussion off the record.)

15 ADMINISTRATOR CHRISTENSEN: Then we
16 immediately send a letter out. There is phone
17 calls. And then because of all times, 2013
18 jumping to 2019, there were a lot of changes with
19 the video camera, door screen, things like that.

20 MR. FINN: Right, right.

21 ADMINISTRATOR CHRISTENSEN: But if and
22 when that happens, the letter will go out
23 immediately.

24 MR. FINN: Thank you.

1 CHAIRMAN BAUMANN: Any other questions?

2 Go ahead.

3 MEMBER ALLGAIER: Just is there
4 anything -- last time we updated our code, the
5 OSFM administrator wanted a couple of exceptions.
6 We discussed those as a Board. Is there anything
7 from the administrator's office that takes
8 exception to the code or wants Illinois to adopt
9 differently than just straight 2022 and so on
10 codes?

11 ADMINISTRATOR CHRISTENSEN: Well, I
12 think -- are you talking about public comment
13 disputed anything in relation to the code?

14 MEMBER ALLGAIER: Or it could have come
15 from that as well, but...

16 ADMINISTRATOR CHRISTENSEN: Right. But
17 it --

18 CHAIRMAN BAUMANN: Do you want to change
19 it or you're accepting it as is?

20 ADMINISTRATOR CHRISTENSEN: Yeah, we are
21 accepting it as is.

22 MEMBER ALLGAIER: So you're recommending
23 accept as is.

24 ADMINISTRATOR CHRISTENSEN: Yes, yeah.

1 CHAIRMAN BAUMANN: Any other questions?

2 I have a motion to accept the new
3 code updates as written.

4 MEMBER MURPHY: So moved.

5 CHAIRMAN BAUMANN: Has it been seconded?

6 MEMBER HICKEY: Second.

7 CHAIRMAN BAUMANN: Moved and seconded.
8 Getting ahead of myself.

9 All those in favor, say aye.

10 (A chorus of ayes.)

11 CHAIRMAN BAUMANN: All those opposed.

12 The ayes have it unanimously.

13 Okay. We're going down to new
14 technology, and we're going to Relay Robotics.

15 And we're going to -- I believe Dick
16 has already talked.

17 MR. KEANEY: Yeah, we've already talked.

18 CHAIRMAN BAUMANN: You've got to spell
19 your name.

20 MR. KEANEY: Okay. It's David Keaney,
21 K-e-a-n-e-y. And it's Relay Robotics. It's on
22 the shirt.

23 So Dick and I have spoken. I've
24 passed along all the information that's been

1 requested of me, so I don't know what
2 questions --

3 CHAIRMAN BAUMANN: Two meetings ago.

4 MR. KEANEY: Two meetings ago and then
5 at the last meeting as well. Sent the
6 documentation more than once. I don't have any
7 new documentation with me today. Part of the
8 reason is when I was informed that we were
9 meeting today, I was in the Netherlands working
10 on a hospital robot and so had to make changes to
11 be here today, so...

12 CHAIRMAN BAUMANN: I believe Bob sent
13 out information that he brought in last time, so
14 he sent it out to us already, so we've already
15 got it.

16 MR. KEANEY: But I'm free to answer any
17 questions someone may have.

18 CHAIRMAN BAUMANN: And we were waiting
19 to for Dick to talk.

20 MR. KEANEY: Go ahead, yeah.

21 MR. GREGORY: So this is a robot that
22 moves around usually in hospitals, but --

23 MR. KEANEY: Hotels and hospitals.

24 MR. GREGORY: Hotels.

1 How does a robot avoid whopping into
2 people?

3 MR. KEANEY: It's got an extensive array
4 of sensors, LIDAR, cameras, 3D depth cameras,
5 amongst other things. It's just -- the
6 navigation program is set up to not hit somebody.

7 If you can ever see one run through,
8 let's say, the lobby of a hotel or, you know,
9 amongst people on an elevator, it doesn't strike.
10 It doesn't go fast enough to bother somebody.
11 Basically the top speed we run is seven-tenths of
12 a meter per second. It's the fastest they go.
13 You can walk faster than --

14 CHAIRMAN BAUMANN: Is it, like, similar
15 to a, what do they call it, vacuums? Roomba.

16 MR. KEANEY: Yeah, but a Roomba can bump
17 into things. The navigation is much more
18 sophisticated than ours.

19 CHAIRMAN BAUMANN: Same speed.

20 MR. KEANEY: But essentially imagine
21 that this tall -- you know, for the sake of
22 trying to describe it to somebody.

23 CHAIRMAN BAUMANN: Okay.

24 MR. KEANEY: But navigation software is

1 extensive in terms of to ensure that we don't get
2 around.

3 But there's custom things per site
4 depending on individual characteristics. Like, a
5 lot of times people ask about, like, when you get
6 on the elevator. The newest version we have,
7 everything we install going forward, has the
8 ability for those that board an elevator, for
9 instance, to tell pretty quickly, all adjustable,
10 okay, this elevator is full, in which case, it
11 will turn around and come back out and not make
12 another request for 30 seconds. So it lets that
13 car go.

14 And in addition to that, for the
15 hospital environment, we've been requested and
16 we've put it in on jobs where basically when it
17 goes to board an elevator, have a button on it
18 that basically says not now or something to that
19 effect. So as the staff and everyone gets used
20 to using it around people, if they see it coming
21 and they say, no, we got to send this now, they
22 just hit a button right on the screen and it
23 turns right around. They load up, robot will sit
24 there maybe 30 seconds later, make a second

1 request for the elevator.

2 So as I said, the navigation on it
3 is almost every bit as much as a self-driving
4 car. Has quite a bit going on.

5 MR. GREGORY: It's probably better than
6 a self-driving car.

7 MR. KEANEY: Well, it is, because it's
8 not going as fast, for one reason. But, you
9 know, even the LIDAR, the laser, is 270 degrees
10 and only runs in the forward direction. It
11 doesn't run in reverse at any point except when
12 it's docking itself. But that's a movement of
13 about this far right next to its dock. You know,
14 it never moves in any manner by which there's not
15 sensors that can tell what's going on in the
16 direction it's going.

17 CHAIRMAN BAUMANN: Any recommendations?

18 MR. KEANEY: And for the people that
19 haven't seen me before, just as a background, I
20 was as an elevator constructor for 30 years.
21 Involved with a company that we sold to Kone. I
22 was a NEIEP instructor for 32 years, I think, and
23 I've got a lot --

24 MR. GREGORY: What was your company?

1 MR. KEANEY: Advanced Elevator
2 Technologies. Kone bought us in 2015. I worked
3 for Kone for two years, and then this came up and
4 this is too interesting. This is what I do now.

5 (People talking simultaneously.)

6 MR. KEANEY: Yes.

7 MS. PADILLA: If it only goes forward,
8 does it turn around?

9 MR. KEANEY: Oh, yeah, when it wants to
10 turn, it can spin on its axis. So it's got a
11 round base. The base is about that round. When
12 it needs to -- if it was going forward and I was
13 to stop it, say, and tell it to go right back
14 where it came from, it would just spin in place,
15 arc around gently. But it does not go backwards.

16 MS. PADILLA: So it pivots on its own,
17 or does it create a 360?

18 MR. KEANEY: It can do either one
19 depending on what environment that it's in.

20 MS. PADILLA: Okay.

21 MR. KEANEY: But its preference is to
22 pivot right on its base, just 180-degree turn.

23 People want to know how it works,
24 period, with an elevator.

1 CHAIRMAN BAUMANN: Before we go on, I
2 want to make sure that -- Barbara Hickey had
3 left. She had to leave.

4 MEMBER ALLGAIER: Do we still have a
5 quorum?

6 CHAIRMAN BAUMANN: We still do.

7 And Larry wants to read something.

8 MR. KEANEY: Yeah.

9 ADMINISTRATOR CHRISTENSEN: Yes, I want
10 to read a letter from a licensed inspection
11 company.

12 After reviewing the information we
13 sent regarding Relay Robotics elevator interface,
14 we do have some concerns regarding potential
15 robotic systems with interaction with elevator
16 operation. The information states that the robot
17 will cancel all calls and the deliveries in the
18 event the elevator goes on fire service mode and
19 return to the docking station. However, the
20 questions are as follows:

21 If the robot is on the car when fire
22 service is activated and the car returns to the
23 first floor, will it exit the car and return to
24 its docking station or will it be totally

1 inoperative?

2 MR. KEANEY: It returns to the floor
3 that its docking station is on. So if you're
4 going to main recall -- yes, it would go back to
5 its dock.

6 ADMINISTRATOR CHRISTENSEN: So it still
7 moves and it's not stationary and it doesn't go
8 inoperative?

9 MR. KEANEY: In the ideal case in which
10 it's on an elevator and it comes back -- it will
11 cancel its --

12 ADMINISTRATOR CHRISTENSEN: This is when
13 it's on fire service.

14 MR. KEANEY: If it goes on fire service.
15 But it comes down to the floor that the dock is
16 on, yes, it would go to the dock. If it were to
17 go to the alternate floor, for instance, it would
18 just be inoperative.

19 ADMINISTRATOR CHRISTENSEN: Inoperative,
20 okay.

21 MR. KEANEY: Yes.

22 ADMINISTRATOR CHRISTENSEN: And does it
23 exit the conveyance or does it stop where it's
24 at; and then in case of persons with disability,

1 how are they going to navigate around that robot?

2 MR. KEANEY: Well, if it was at the
3 proper floor, it would get off. We can program
4 where it goes in the elevator. So sometimes when
5 that question has come up, we can tell it, for
6 instance, when it boards the elevator, go over to
7 one particular side.

8 We've had that brought up a number
9 of times with what about, say, a handicap person.
10 And that's why we have the newest software
11 feature by which, like, if it's going in and it
12 detects that, okay, there's somebody in the
13 way -- obviously somebody in a wheelchair can't
14 get out of the way of the robot. The robot
15 wouldn't board in the first place. So that's how
16 we've --

17 In terms of what it does on fire
18 service, we've had a lot of different ideas
19 thrown at us by different authorities to say, for
20 instance, in a hospital, just stop wherever you
21 are and don't move. In a hotel a lot of times,
22 it will go back to where the elevator is. But
23 the elevator service isn't available to it, so it
24 just renders itself useless right there.

1 ADMINISTRATOR CHRISTENSEN: So it's
2 useless right there, and someone wouldn't be able
3 to navigate around the robot.

4 MR. KEANEY: If the robot was somehow
5 parked in a narrow area right in front of them,
6 that's why we have -- it wouldn't get on the
7 elevator.

8 Even if it was on normal, then it
9 went on fire service, it wouldn't board to block
10 somebody, because of these adjustments that we
11 make.

12 And I will say this just -- and,
13 again, if someone -- a quadriplegic in a
14 wheelchair, they can't move it. But I will say
15 that the robot is easy probably -- not as easy to
16 push as a Roomba, because it's bigger, but very,
17 very easy for someone to move out of the way.

18 ADMINISTRATOR CHRISTENSEN: This new
19 software came out when?

20 MR. KEANEY: Oh, it's probably a couple
21 years ago, I'll say. But it's constantly being
22 perfected. We run across unique job conditions.

23 I can say that we had a number of
24 ideas thrown us by authorities. There's no place

1 that we have had authorities say you can't use
2 it. But they've had suggestions for it, can you
3 make it do this, can you make it do that. And we
4 try to do whatever we can to make it work
5 essentially.

6 ADMINISTRATOR CHRISTENSEN: Okay. And
7 where is the connecting device? Is there a
8 disconnect at the docking station and is there a
9 disconnect or emergency stop on the robot?

10 MR. KEANEY: We can put an emergency
11 stop on the robot. That's another feature of the
12 button that I told you about, it can stop.

13 In terms of a disconnect, the robot
14 has an off switch right on it. There's a back
15 panel. It's not secured with a fastener. It's
16 magnetic. You can open it up with a business
17 card, your fingernail, and there's an off button
18 right there, renders it completely useless.

19 ADMINISTRATOR CHRISTENSEN: Okay. Last
20 question.

21 MR. KEANEY: Yeah.

22 ADMINISTRATOR CHRISTENSEN: What happens
23 on a malfunction or power loss of a robot while
24 it is on the car?

1 MR. KEANEY: It would just be rendered
2 immobile.

3 ADMINISTRATOR CHRISTENSEN: And that's
4 the point that I got across before in regards
5 to --

6 CHAIRMAN BAUMANN: Speak up.

7 ADMINISTRATOR CHRISTENSEN: -- about
8 mobility of a person to navigate around the
9 robot.

10 MR. KEANEY: And that's why we try to,
11 you know, make the -- the whole thought being, if
12 the robot got on first and then someone got on
13 with a wheelchair, the wheelchair would be
14 blocking the robot. They wouldn't be impeded.
15 We tried to adjust it so that if it's getting on
16 and there's any crowd at all -- we can almost
17 make it to the point where it will just keep
18 looking and say I am not going to get on unless I
19 absolutely have to.

20 We also have the ability with
21 different companies to have our -- the robot
22 calls will be registered with the elevator
23 controllers as a VIP or hospital call, in which
24 case if there's any car calls at all, it won't

1 come to us yet. And then when the car calls are
2 all satisfied, some of the elevator people have
3 seen a VIP feature of a wheelchair, and then it
4 comes to us. And then it takes our call, answers
5 it. Then goes back to the group. So we've had a
6 couple of cases of that as well.

7 ADMINISTRATOR CHRISTENSEN: Okay. And
8 this license inspection company did say, last
9 two, paragraphs.

10 MR. KEANEY: Yeah.

11 ADMINISTRATOR CHRISTENSEN: I feel
12 because this robot interaction with OSFM
13 registering -- registered elevators and operate
14 amongst the riding public, a minimum a permit
15 should be required when installing the robot
16 equipment, a full acceptance inspection should be
17 performed to test a robot as it is featured for
18 fire service activation, and also believe that
19 there should be a consideration to testing a
20 robot, once it is in service, a determined
21 interval of every five years.

22 With any other reliable data based
23 on the actual unit in service or any units in
24 service in this jurisdiction, it is difficult to

1 properly assess this equipment solely based on
2 the product brochure and hope these inquiries
3 help the Board in their discussion when robotic
4 equipment is the topic brought to the Board.

5 MR. KEANEY: And that's what we do --
6 and in this case here, once we went outside the
7 City of Chicago, there's interest. It became --
8 we basically asked the elevator company you tell
9 us what you need, what do we need to do, and
10 that's how this came to be, and that's why we're
11 here.

12 A couple of -- we've got some
13 hospital systems in Illinois and two or three
14 hotels now that are very interested, so it
15 becomes what do we need to do. They said appear
16 before the Board. And we do -- different
17 jurisdictions require different things. I've
18 gone through tests that have taken a half a day
19 to just go over different things. And in some
20 cases it might be can you make it park over in
21 that corner of the elevator instead. It could be
22 something that minor. It could be the device
23 that controls our interface plugs into 110.

24 In Pittsburgh, they said we want a

1 disconnect for that 110. The plug's right there
2 and there's a disconnect right next to it.

3 So we really just look for
4 direction, what do you need, what would satisfy
5 your needs.

6 But that inspection, we have no
7 problem with that. And permit, absolutely no
8 problem. The elevator company pulls that, but no
9 problem.

10 ADMINISTRATOR CHRISTENSEN: Okay.

11 CHAIRMAN BAUMANN: Any suggestions by
12 our consultant?

13 MR. GREGORY: What are you looking for
14 from us?

15 CHAIRMAN BAUMANN: For acceptance.

16 MR. KEANEY: Just acceptance to be able
17 to pursue with, you know, customers that come to
18 us. Like I said, we have three or four customers
19 actively inquiring for the -- you know, for six
20 months or more now, just can we go forward, one
21 of which is your Southern Illinois Health System
22 down in the southern part of the state.

23 You know, the hospital environment
24 is where we're seeing the most demand now.

1 MR. GREGORY: My suggestion is that we
2 approve this, but we ask to revisit it in a year,
3 see if there's any issues. We're not going to
4 know if there's issues unless we have them.

5 CHAIRMAN BAUMANN: We revisit in a year.
6 What about any of the upgrades or
7 changes or the suggestions that Larry has brought
8 up?

9 MR. GREGORY: I think Larry's
10 suggestions are excellent.

11 MR. KEANEY: Yeah, those are the types
12 of things we like to hear from the authorities,
13 you know, we can make the product better.

14 I can also say at the last meeting
15 when the gentleman from OSFM made his
16 presentation, again, I forget the name, one other
17 item he talked about was what's going to be in
18 the '24 code. And now it's actually in the ANSI
19 code. I think it's called RIO, remote
20 interaction operations, something along those
21 lines.

22 If you read what he said, this is
23 what we do, it's exactly what we do. Our
24 interaction, the only thing we tell the elevator,

1 is a call to go someplace and we also will hold
2 the door open button while we get on and off, and
3 that's basically all we do. We don't tell it --
4 you know, we can't interact with any of the real
5 hard-core things that are going on in an
6 elevator.

7 MEMBER EDWARDS: Will the vote be
8 contingent upon saying yes, because what Larry
9 has recommended you will implement; or are those
10 just suggestions? Because our yes in addition is
11 our yes --

12 CHAIRMAN BAUMANN: Those are requests.

13 MEMBER EDWARDS: It's not requirements,
14 just requests.

15 MEMBER ALLGAIER: I think most
16 of what -- he asked questions about does it do
17 this and he said yes.

18 MR. KEANEY: Yeah, I think it's more or
19 less questions.

20 (Talking simultaneously.)

21 CHAIRMAN BAUMANN: Hold on, one at a
22 time. Sorry.

23 MR. KEANEY: We've had places where
24 they've said we prefer if you want fire service

1 it doesn't move, and they say in your future
2 software, make it so no matter what happens it
3 doesn't move the second it goes on fire service.
4 We've also got other entities that say we want it
5 to do something different.

6 It's more or less everyone seems to
7 be satisfied with what we do, but we've taken in
8 all those suggestions to make it better. And one
9 of the big ones is the thing to be able to detect
10 if there's people on the elevator and get off,
11 don't even bother boarding, so you never have a
12 chance to confirm.

13 MEMBER EDWARDS: So I'm just making sure
14 what are the requests, not requirements for us to
15 then say this is something we should approve.
16 That's all.

17 CHAIRMAN BAUMANN: I like the idea of
18 reviewing it in a year, but making those requests
19 requirements.

20 MEMBER EDWARDS: Okay.

21 CHAIRMAN BAUMANN: I'd need a motion for
22 that to be done.

23 MEMBER ALLGAIER: I think it needs to be
24 a little more specific, because he asked

1 questions that were answered with yes, it's
2 programmable to do that. So are we saying is the
3 recommendation -- and we'd have to look at it
4 again, probably have it on paper, but --

5 CHAIRMAN BAUMANN: The requirements, we
6 are requiring them to do that.

7 MEMBER ALLGAIER: Are we saying that
8 every one of them is required? Because some of
9 them may be customer preferences.

10 ADMINISTRATOR CHRISTENSEN: These were
11 actually questions about a licensed elevator --

12 MEMBER ALLGAIER: I don't know that I
13 feel comfortable saying everyone who does it must
14 have it be an empty elevator. Because with a
15 hospital, it may be different than a hotel or --

16 MR. KEANEY: Yeah.

17 MEMBER ALLGAIER: I don't know that we'd
18 need to be that restrictive.

19 MR. KEANEY: That's a specific feature
20 that not every elevator has the ability to
21 accommodate. What I was trying to say it has
22 software that we can adjust ostensibly to
23 determine -- we can make it so critical that if
24 there's one -- almost just barely something on,

1 it will just say I'm not going to get on. You
2 know, or we can tell it get on no matter what you
3 see. Again, a lot of that's adjusted per site,
4 you know.

5 ADMINISTRATOR CHRISTENSEN: I believe
6 what Dick said in regards to let's give it a --

7 CHAIRMAN BAUMANN: Year.

8 ADMINISTRATOR CHRISTENSEN: -- year
9 approval. What's the probability of anything
10 happening, it's a possibility. You could have a
11 person with a disability and the robot is in the
12 way and they're stuck in an elevator.

13 CHAIRMAN BAUMANN: Henry.

14 MEMBER THOMPSON: Yes, Henry Thompson
15 here.

16 How would we would be notified of
17 any incidents or close calls where we'd have to
18 bring it to the committee prior to the one-year
19 mark? Because something can happen in a facility
20 and we may not know about it.

21 ADMINISTRATOR CHRISTENSEN: Exactly.

22 MR. KEANEY: I've never been asked that
23 question, but if that's a requirement that in
24 this year time that we report anything like that,

1 we would certainly do it. We would also -- we'd
2 also in concert want to let whoever the owner or
3 the representative of the property is, make sure
4 they know that, okay, if something happens,
5 you've either got to have a system in place where
6 you let us know and we let you know, or somehow
7 you get notified. We wouldn't want -- it's not
8 enough just to tell us. We need to tell them
9 just to make sure it's not something -- they saw
10 something and didn't let us know, but...

11 ADMINISTRATOR CHRISTENSEN: Well, since
12 there's not that many locations with the robot,
13 we can reach out to a licensed engineer or
14 engineers on site as well as the owner, has there
15 been incidences.

16 CHAIRMAN BAUMANN: So it's going to be
17 done through the Fire Marshal's Office, the
18 Administrator's Office.

19 ADMINISTRATOR CHRISTENSEN: Or it should
20 be the inspectors that have --

21 CHAIRMAN BAUMANN: The AHJ.

22 ADMINISTRATOR CHRISTENSEN: The AHJ,
23 yes.

24 MR. KEANEY: We also -- again, when you

1 talk about the wheelchairs, probably more
2 predominant to worry about people's mobility in a
3 hospital. We have plenty of hospital
4 environments where we don't run on passenger
5 elevators as well.

6 The thing is navigation of the robot
7 is such that it allows us to be around people,
8 but there are cases where the robot might be used
9 to move -- I mean, I can think of something, they
10 move things from a lab to a pharmacy, things like
11 that, and they just run behind the public
12 elevators. We can run on anything.

13 (Discussion off the record.)

14 CHAIRMAN BAUMANN: Back on the record.

15 MR. GERTZ: Okay. Scott Gertz, attorney
16 for the Fire Marshal's Office.

17 Discussion about tabling the matter
18 until the next Board to allow the administrator
19 to come up with conditions that would be
20 appropriate and useful to ensure public safety
21 are under proper consideration, for Board
22 consideration and vote, at the next meeting.

23 (Discussion off the record.)

24 CHAIRMAN BAUMANN: Do I have a motion to

1 that effect? So --

2 MEMBER GANIERE: I'll make a motion to
3 table it until our next meeting.

4 CHAIRMAN BAUMANN: There's been a motion
5 to table it to the next meeting.

6 MS. PADILLA: I'll second it.

7 CHAIRMAN BAUMANN: It's been moved and
8 seconded.

9 All those in favor, say aye.

10 (A chorus of ayes.)

11 CHAIRMAN BAUMANN: All those opposed.

12 The ayes have it.

13 Sorry.

14 MR. KEANEY: Thank you for your time.

15 CHAIRMAN BAUMANN: We'll keep you
16 involved with any updates and changes that we
17 need.

18
19 Board to review and act upon new
20 technology for HydraSafe Brake.

21 And, Kevin, if you'd come up here
22 and say your name and spell it for the court
23 reporter, please.

24 MR. CUNNINGHAM: Yeah, Kevin Cunningham,

1 C-u-n-n-i-n-g-h-a-m.

2 CHAIRMAN BAUMANN: He's got an elevator
3 voice.

4 MR. CUNNINGHAM: That's why I shout.

5 Tim Toan, my partner, I think we
6 were here back in March, presented our product
7 line. We have an unintended/ascending movement
8 device that we have. We're certified, Lift
9 Institute certified. We meet A17.1, all the
10 required codes. We presented here in March. I
11 think when we came the next meeting, we were
12 short -- I'm sorry, Dick, you may have been sick
13 at that time. And then the next meeting we got
14 ahold of you, grabbed you, brought you our test
15 tower, showed you how our product worked.

16 Last meeting I think we were one
17 short, so we're here today seeking approval for
18 our product within Illinois.

19 The City of Chicago, Gary Bock, who
20 is chief, has already approved our product and
21 several states and several AHJs across the
22 country have already approved our product line.

23 CHAIRMAN BAUMANN: I just wanted to make
24 sure that everybody heard. We got some new

1 members on the Board, so they didn't see the
2 presentation.

3 But, Dick, we're going to go with
4 your --

5 MR. GREGORY: I visited your test site
6 with Tim, was that?

7 MR. CUNNINGHAM: Yeah, with Tim, my
8 partner.

9 MR. GREGORY: I think it's a really good
10 idea. My only question is you have this
11 electronic box, electrical box, that makes it
12 work. Yes?

13 MR. CUNNINGHAM: There's a pump unit in
14 there, yes. That's where you have seven wires,
15 which is powering from the controller. Our
16 device acuates from the controller giving us a
17 signal.

18 MR. GREGORY: That's an electrical
19 device. Is that electrical device as a unit
20 approved by some agency like UL?

21 MR. CUNNINGHAM: CSA.

22 MR. GREGORY: Not the whole parts, but
23 the whole unit approved by UL or CSA or ETL.

24 MR. CUNNINGHAM: Great question. CSA

1 will have our certification on 8/30 of August, so
2 that's in a couple weeks. The process of
3 creating the certification and emailing it to us,
4 it's already done. We have been approved through
5 A17.5, okay, which is an electrical device.

6 Every component within that box,
7 again, is already approved, but as a complete
8 point, we need the certification.

9 MR. GREGORY: So the electrical code --
10 and I used to be a supervising licensed
11 electrician, City of Chicago and the State of
12 Illinois. So I'm somewhat aware of this. Every
13 electrical device, whether it's the clock on the
14 wall or the emergency lights over there, need to
15 be approved by an authorized agency; UL, CSA,
16 ETL. I guess I could name more if I think of
17 them. But any one of them are good. And if
18 you're approved by them, then I'm good. And
19 you're saying you're going to be approved by the
20 end of the month. I don't know whether it's
21 appropriate to say when the Board gets the
22 written approval --

23 CHAIRMAN BAUMANN: I was just going to
24 suggest that.

1 MR. GREGORY: See, he reads minds.

2 MR. CUNNINGHAM: I can pass on the
3 certifications once we do have it. But that is
4 now in the process of right now, so...

5 CHAIRMAN BAUMANN: How about if we look
6 for a motion to accept new technology for the
7 Hydra Brake pending acceptance.

8 MR. CUNNINGHAM: CSA testing.

9 CHAIRMAN BAUMANN: CSA testing
10 acceptance.

11 MR. CUNNINGHAM: Certification, yeah.

12 CHAIRMAN BAUMANN: Do I have a motion?

13 MEMBER MURPHY: I'll make a motion.

14 CHAIRMAN BAUMANN: The motion has been
15 made.

16 MEMBER O'DONNELL: Second.

17 CHAIRMAN BAUMANN: And seconded.

18 Any more questions on the motion?

19 None being so, all those in favor,
20 say aye.

21 (A chorus of ayes.)

22 CHAIRMAN BAUMANN: All those against.

23 The ayes have it unanimously.

24 Thank you very much.

1 MR. CUNNINGHAM: Thank you.

2 CHAIRMAN BAUMANN: Sorry for the delay.

3 ADMINISTRATOR CHRISTENSEN: Thank you
4 for your time.

5 CHAIRMAN BAUMANN: You bet.

6 MR. CUNNINGHAM: I will stick around.
7 You let me know what paper you want me to fill
8 out.

9 CHAIRMAN BAUMANN: Please. Thank you.

10 All right. At this time I'm going
11 to open it up for public comment one more time,
12 if anybody has any public comment for anything
13 that's been discussed today, anything been
14 discussed today.

15 None being so, I will --

16 MR. GREGORY: What's this variance
17 appeal of Des Plaines?

18 CHAIRMAN BAUMANN: That was already
19 taken care of.

20 That being said, I will accept a
21 motion to adjourn.

22 MEMBER CHRISTENSEN: So moved.

23 (Many members moved.)

24 CHAIRMAN BAUMANN: It's been moved. I

1 guess it's been seconded.

2 All those in favor, say aye.

3 (A chorus of ayes.)

4 CHAIRMAN BAUMANN: Adjourned.

5 (Whereupon, the meeting was

6 adjourned at 12:58 p.m.)

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1 STATE OF ILLINOIS)
) SS:

2 COUNTY OF C O O K)

3 I, Suzanne Burke, Illinois CSR
4 No. 084-002573, do hereby certify that I reported
5 in shorthand the proceedings had at the meeting
6 aforesaid, and that the foregoing is a true,
7 complete and accurate transcript of the
8 proceedings at said meeting as appears from my
9 stenographic notes so taken and transcribed by
10 me.

11 IN WITNESS WHEREOF, I have hereunto
12 set my hand and affixed my seal of office at
13 Chicago, Illinois, 27th of August, A.D., 2024.

14

 Certified Shorthand Reporter

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24

A handwritten signature in cursive script that reads "Suzanne Burke". The signature is written in dark ink and is positioned centrally below the printed name "Suzanne Burke".

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