

**ELEVATOR SAFETY BOARD**  
**Meeting Minutes**  
**May 25, 2021**

**I. Call to order**

Vice Chairperson Wayne Sims called the meeting to order at 9:02 a.m. The meeting was held via Zoom.

**II. Roll call**

Members present: Kerry Dixon  
Kathleen Uehling  
Justin Carleton  
Wayne Sims, Acting Chairperson  
Craig Clabaugh

Members absent: Kris Kesterson, Amy Infelt and Marvin Schumacher

Ms. Caroline Barrett, Assistant Attorney General, participated.

**III. Approval of agenda**

Ms. Dixon moved to approve the agenda. Mr. Carleton seconded the motion. The Board approved it unanimously.

**IV. Approval of minutes from April 27, 2021**

Ms. Dixon moved to approve the minutes from April 27, 2021. Ms. Uehling seconded the motion and the board approved it unanimously.

**V. Items for Action**

A. *Waiver application from City Center of Mason City, Inc. concerning conduit in the machine room of an existing building (E2021-004)*

This application was postponed as Mr. Ed Kent was not available.

B. *Waiver application from Jeff Manternach concerning an unregistered elevator in a mixed use building (E2021-005)*

Mr. Jeff Manternach spoke to the board regarding this variance request. Mr. Manternach plans to finalize his purchase of this 3-story building in Dubuque on June 1. The elevator was installed approximately 15 years ago and is a small residential elevator that is not rated for commercial use. The unit was installed without a permit or inspections. Mr. Manternach hopes to live on the third floor and wants to use the elevator to travel from the ground floor to third floor. There are currently 2 residential tenants on the second floor and 3 businesses on the ground floor.

After a discussion, the board members agreed that the elevator is not compliant with applicable codes. Ms. Uehling moved to deny the variance on the basis that the application does not include a list of items that need to be waived. Mr. Carleton seconded the motion. The remaining board members approved the motion.

C. *Waiver application from Brad Norwood on behalf of First National Bank and concerning existing electrical and mechanical equipment in the machine room of an existing building (E2021-006)*

Mr. Brad Norwood, Property Manager for R&R Realty, spoke to the board regarding this variance. The code cited requires a room with self-closing and self-locking doors. There are water supply lines, electrical

components, drain lines, gas lines, and an oil tank that would have to be moved. The area already has a yellow line marking the path, and the controller is locked.

Ms. Dixon made a motion to approve the variance to ASME A17.3 rule 2.2.1 with the following conditions: 1) update the floor marking to maintain code clearances around the elevator equipment, 2) permanently affixed equipment is allowed to remain but no new equipment may be added to the room, 3) the entire mechanical room has to be secured with a group 1 security key, 4) signs shall be attached to the exterior doors of the room with 2" lettering reading "Authorized Personnel Only," 5) a sign shall be attached to the door by the controller with 2" letters reading "Not an Exit," 6) for safety purposes, the sump pit and associated lines will be marked with high visibility marking. The relocation of the equipment, including the primary plumbing and mechanical systems for the building, would create an undue hardship. Ms. Uehling seconded the motion. Mr. Clabaugh abstained. The remainder of the board approved the motion.

## **VI. Discussion topic – video phones**

Mr. Schumacher requested a discussion on the topic of video phones. Since Mr. Schumacher is not in attendance, the discussion will be postponed until the next meeting.

## **VII. Division of Labor Report**

Commissioner Rod Roberts stated that the General Assembly adjourned for the year with a great deal of unfinished business. There is potential that remaining bills on the debate calendar can be taken up in the fall. The Commissioner anticipates they will be back in session before January to address redistricting. Among the items left undone were the appointments to boards and commissions. The Commissioner asked Ms. Caroline Barrett, A.A.G. for the board, to address board member status.

Ms. Barrett stated that current board members can be held over and can serve on the board until action is taken by the State Senate. The Commissioner is waiting for a list of deferred appointments. A member on the deferred list is allowed to hold over.

On June 1, the Division of Labor will end pandemic mitigation measures. Employees will be returning to the office. Employees who qualify will have the option to telework up to 2 days a week. Starting in June, we will have in-person board meetings with an option to participate remotely.

## **VIII. Financial Report**

Mr. Joe Mullen, Division of Labor Administrator, introduced Mr. Victor Kennedy, the new Chief Financial Officer for Iowa Workforce Development. Mr. Kennedy provided a detailed PowerPoint presentation for the board.

Chapter 89A.3 allows the elevator board to set fees at a level to cover expenses. The last fee change was over five years ago. Chapter 89A.19 allows the program to retain the money, plus interest, without reverting to the General Fund.

Revenues from 2017 to 2020 trended upward. The 2021 revenues are slightly down but the year is not completed. It is anticipated that the revenue for this year will be approximately \$2 million.

Salaries and benefits account for 88.67% of the expenditures, followed by I.T. and travel. There is a significant carry-over that can be used for significant equipment expense and for additional staff.

The Commissioner and board members thanked Mr. Kennedy for the report.

## **IX. Communications**

Email request for a variance submitted and withdrawn by the Hotel Ottumwa.

**X. Next meeting dates**

- June 22, 2021 at 9:00 am – to be held in-person with a remote option
- July 13, 2021 at 9:00 am – to be held in-person with a remote option

**XI. Next meeting agenda**

- Waiver application from City Center of Mason City (E2021-004)
- Video phone discussion

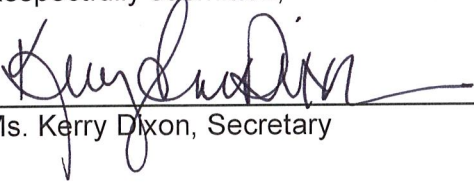
**XII. Public comments**

Mr. Norm Martin, Schindler Elevator, thanked the board for allowing the public to participate and for their professionalism. He also appreciates the appointment of Matt Mitchell in his position with the Division and looks forward to working with everyone.

**XIII. Adjournment**

Ms. Dixon moved to adjourn the meeting. The board approved. The meeting adjourned at 10:29 a.m.

Respectfully submitted,



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Ms. Kerry Dixon, Secretary

