

For the August 2024 Meeting.

MEETING DETAILS

Date: August 6, 2024

Time: 9:00 AM

Location: Government Center South - Conference Room B

Member Attendance

Name	Present		Means of Participation	
	Yes	No		
Craig Burgess	\boxtimes		In Person	
Logan Cook	\boxtimes		In Person	
John Crisp	\boxtimes		In Person	
Harold Davidson	\boxtimes		In Person.	
Todd Hite	\boxtimes		In Person	
James Murua	\boxtimes		In Person	
Michael Patarino	\boxtimes		In Person	
Michael Popich	\boxtimes		Electronic Means (MS Teams)	
David Porter			In Person	
Lane Slaughter	\boxtimes		In Person	
Kenneth Wagner	\boxtimes		In Person	
Michael Zehner	\boxtimes		In Person	

1. Call to Order

2. Introduction of New Commissioner

Craig Burgess, Architect, former State Building Commissioner

3. Roll Call

Director Dyer took roll call. Quorum was met.

4. Review of June and July 2024 Minutes

Motion: Approve as submitted.		
Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

5. IDHS Reports and Updates

i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f)

6. State Building Commissioner Interpretations

i. None

7. Rulemaking Updates

- i. Electrical Code Update Committee Continues apace. Proposals should be wrapped up at the next meeting. Fiscal impact still pending.
- ii. Building Code Update Committee Will be reviewing Chapters 24-26.
- iii. Fire Code Update Committee Reviewing Chapters 56 through 65.
- iv. Lift Device Update Committee` Continues reviewing codes listed.

8. Variances

a. Tabled

i. 24-04-45 Phoenix Fort Wayne International Harvester (Fort Wayne) – Significant discussion as had on system costs and current lack of internet.

Motion: Deny.			
Name	Vote		
	Yes	No	
Craig Burgess			
Logan Cook (A)			
John Crisp	\boxtimes		
Harold Davidson	\boxtimes		
Todd Hite			
James Murua	×		
Michael Patarino		\boxtimes	
Michael Popich	\boxtimes		
David Porter	\boxtimes		
Lane Slaughter	\boxtimes		
Kenneth Wagner	\boxtimes		
Michael Zehner	\boxtimes		

ii. 24-04-52(a)(b) Tent (Greenwood) – No proponent. Denied.

Motion: Deny		
Name	Vo	ote
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

iii. **24-06-31 Vernon Beechy – New Building (Shipshewana) –** Tim Callas presented an update to the Commission on the requested progress and alternative proposals with drywall/polystyrene spray foam.

Motion: Table.		
Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	

Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

- iv. 24-06-37(a)(b)(c)(d) Project Zodiac (Fort Wayne) Withdrawn by proponent.
- v. 24-06-38 W.C. Redmon Co (Peru) Peter Redmon presented. Fire chief is against the variance, noted that sprinkler system cost is offset by insurance savings and other potential savings. Residential neighborhood, brick and metal building. Reduced risk is not no risk.

Motion: Deny.		
Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	

James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

b. New

i. **24-07-29 Energy Harness (Zionsville) –** 30k ft warehouse, H4 occupancy does not want to provide a fire suppression system. Significant discussion was had on the size of the building, the size of the addition, the location of the nearest hydrants, the availability of the retention pond for a dry hydrant system. Fire Chief opposed to variance.

Motion: Deny.		
Name	Vote	
	Yes	No
Craig Burgess		
Logan Cook		
John Crisp	\boxtimes	
Harold Davidson		\boxtimes
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino		
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner	\boxtimes	

ii. **24-07-30 Premier Ag (Campbellsburg) –** H4 occupancy, 30k building, requesting to not sprinkler. Equipped with 3-hour fire barrier to reduce fire area. Identical variance granted for same setup in Shelbyville. Rural agricultural area. No residences within a half mile of location. Chairman asked about early notification system for people that live around area.

Motion: Approve.		
Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner		

iii. **24-07-31 Old Sheriff's House and Jail (Crown Point) –** Does not want to meet code. Does not meet gravity or lateral load requirement of new code. Dennis Bradshaw presented. Proponent notes that only small groups allowed inside the building, occupant load below 50 people. Commissioner Patarino believes that Chapter 34 score could be increased and that offering no offsets does not make a strong case for a variance. Proponent notes that jail is open one day a week for guided tours of 2-8 people. Brick walls, cement and steel, steel beds. Discussion was had about adding an additional exit on the east end of the building.

Motion: Table.			
Name	Vote		
	Yes	No	

Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner		

iv. **24-07-32 Publisher's House Condominiums (Fort Wayne)** – Do not want to provide a ramp for the individual residences, converted house. Proponent notes that residences are condominiums and will be operated as individual residences, believes this should excuse them from public accommodation. Ed Rensink believes that no variance is required as neither the ADA nor the FHA would apply to the property in question, claims ADA does not apply to multifamily housing and FHA does not apply to buildings built before 1991.

Motion: Approve.		
Name	Vote	
	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	

Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

v. **24-07-33 Cornerstone Mennonite School (Bloomfield) –** 5e construction only allows one story, requesting two stories. Providing fire alarm and smoke detection system, 90ft travel distance (code permits 200).

Motion: Approve.			
Name	Vote		
	Yes	No	
Craig Burgess			
Logan Cook		\boxtimes	
John Crisp	\boxtimes		
Harold Davidson	\boxtimes		
Todd Hite	\boxtimes		
James Murua	×		
Michael Patarino	\boxtimes		
Michael Popich	\boxtimes		
David Porter			
Lane Slaughter			
Kenneth Wagner			
Michael Zehner	\boxtimes		

vi. 24-07-34 University of Indianapolis Classroom Door Locks (Indianapolis) – UI wants to use a lock system to barricade doors during active shooter event. Variance approved last year for same devices in middle school. IFD has concerns about the devices, which require special training and knowledge to use rather than a key to unlock it. IFD requests that if the variance is approved, special box that first responders have access to put at IFD specified locations by IFD, it only applies to this particular device and require annual training. Chief of Police UI supports variance. Chief Frost expressed concern with the device use. Chief Cross spoke toward similar devices used in Noblesville schools, suggested adding mandate for disciplinary policy for misuse. Commissioner Patarino wishes to note that Commission does not endorse or opine on the efficacy of this particular item, only allowing for use and mandating uniformity throughout the university campus.

Motion: Approve with conditions:
Annual training with first
responders, all students, faculty,
and staff; special boxes for release
mechanisms placed at visible
locations coordinated with first
responders; only this device make
and model used throughout campus;
university must develop and
implement disciplinary policy for
unauthorized use.

Name	Vote	
	Yes	No
Craig Burgess		\boxtimes
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich		\boxtimes
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

vii. **24-07-35 Wesley Place Apartments (Indianapolis) –** Dave Cook presented. Commissioner Cook recused. Variance for non-compliant pool walkway and enclosure area.

Motion: Approve with conditions:

42 inch guardrail around the pool above the coping from where the railing is showing, second safety hook. Must be completed before May 1, 2025.

Name	Vote	
	Yes	No
Craig Burgess		
Logan Cook (R)		
John Crisp	\boxtimes	
Harold Davidson		
Todd Hite		
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner		

viii. **24-07-36 Faith Athletic Building (Lafayette)** – Building more than 400 feet from a fire hydrant. Requesting not to provide on-site hydrant and main. Nearest hydrant 1500 feet away. Rural area, no municipal water supply. Transient use, not occupied for long periods of time. Small building, maximum travel distance approximately 60 feet. Each room has exterior exit. Cost to add water approximately 180k on 4M project, approximately 4.5% cost, under the general 10% threshold Commission generally requires.

Motion: Approve.		
Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	

Todd Hite	\boxtimes	
James Murua		
(A)		
Michael Patarino		
Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

ix. **24-07-37 Franciscan Operations Center (Fort Wayne)** – Requesting to install fire alarm and smoke alarm system in lieu of sprinklers. LFO opposed. Existing building, Type II. Maximum travel distance 92 feet. Accessory M occupancy in north end. Non-combustible construction but apparel and upholstered furniture storage. Contains farmer's market, flammable materials, wooden materials for stage sets for high school plays. Proponent notes that FM and wooden sets are no longer allowed in building. Proposed condition: Smoke detection and fire alarm immediately,

Motion: Approve with conditions: Install fire alarm and smoke detection by January 1, 2025. Sprinkler system must be installed by January 1, 2028.

by January 1, 2028.		
Name	Vote	
	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter	\boxtimes	

Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

x. **24-07-43 7 Brew Drive-Thru Coffee (Greenwood) –** Accessibility requires 60 inches for water closet, data rack hanging from the ceiling.

Motion: Approve.		
Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite	\boxtimes	
James Murua	×	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	

David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

9. Industrialized Building Systems Applications and Renewals

i. Intertek

Motion: Approve.			
Name	Vo	Vote	
	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook	\boxtimes		
John Crisp (NP)			
Harold Davidson	\boxtimes		
Todd Hite	\boxtimes		
James Murua	×		
Michael Patarino	\boxtimes		

Michael Popich	\boxtimes	
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner	\boxtimes	
Michael Zehner	\boxtimes	

10. Report on Administrative Review

- a. OALP Non-Final Orders Commission Review/Action Required as Ultimate Authority
 - i. None
- b. New Cases Monitoring Only
 - i. DHS-2027-000XXX Grateful Care ABA
 - ii. DHS-2407-000XXX Terramar Restaurante LLC
 - iii. DHS-2407-000XXX See Purpose LLC
- c. Ongoing Cases
 - i. DHS-2402-000396 Knight's Inn v. Seymour Fire
 - ii. DHS-2404-000891 Somnath Hospitality v. City of Seymour
 - iii. DHS-240X-000XXX LaPorte County v. IDHS
- d. New Filings Commission Review / Action Needed
 - i. None
- e. OALP Final Orders No action required.
 - i. None.

11. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Wednesday, September 4, 2024 at 9:00am**. The meeting will be held in the **Indiana Government Center South** in **Conference Room B**. The meeting will also be streamed live via Microsoft Teams.

Public notice and virtual/electronic meeting access details will be provided on the **Commission's Web**Page in advance of the meeting.

12. Adjournment