

AGENDA

For the May 2025 Meeting

MEETING DETAILS

Date: May 1, 2025 **Time:** 9:00 a.m.

Location: Indiana Government Center South, Conference Room B

1. Call to Order

The meeting was called to order at 9:00 A.M.

2. Roll Call

Name	Present		Means of Participation	
	Yes	No		
Craig Burgess	\boxtimes		In Person	
Logan Cook	\boxtimes		In Person	
John Crisp*		\boxtimes		
Todd Hite	\boxtimes			
James Murua	\boxtimes		In Person	
Buckie Olaleye**		\boxtimes		
Michael Patarino	\boxtimes		In Person	
Michael Popich	\boxtimes		In Person	
David Porter	\boxtimes		In Person	
Lane Slaughter	\boxtimes		In Person	
Kenneth Wagner		\boxtimes		
Michael Zehner		\boxtimes		

^{*}Commissioner Crisp began virtual attendance at 11:10 A.M.

3. Review of April 2025 Minutes

Name	Vote	
	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	

^{**}Commissioner Olaleye began virtual attendance at 2:23 P.M.

John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich (Abstain)		
David Porter	\boxtimes	
Lane Slaughter (Abstain)		
Kenneth Wagner		
Michael Zehner		

4. IDHS Reports and Updates

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

5. Rulemaking Updates

- i. Electrical Code Update Committee a meeting has been scheduled between IDHS legal and the Attorney General's office to discuss the legal aspect of it. A voluminous code that we want to give the Commission members time to review.
- ii. Building Code Update Committee The Building Code is having a joint meeting with the Fire Code on May 14th to hear more proposals regarding the code.
- iii. Fire Code Update Committee The Fire Code is having a joint meeting with the Building Code on May 14th to hear more proposals regarding the code.
- iv. Lift Device Update Committee The understanding is that we want to adopt the lift device code whole cloth, but DHS has other codes ready to start the rulemaking process (Plumbing and Electrical) that need to begin the process beforehand. Meetings also need to be scheduled for this specific code.

6. DHS-2405-001267 – Grateful Care ABA v Indianapolis Oral Argument

7. Variances

a. Tabled

i. 25-02-44 Bright Beginner's Academy (Dyer) - Facility is registered as a child-care center with FSSA. All but three of the rooms do not have a door to exit to the outside. The proponent is trying to determine what the threshold is for having a fire evacuation system, a local fire official came to the facility and said anything past 98 would need to install a fire evacuation system. The proponent is willing to comply with whatever is handed down from the Commission. The quote to install the system

was between \$20-\$25,000. There is no fire alarm present in the facility, but they do have smoke detection.

Motion:	Vote	
Denied	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye		
Michael Patarino		
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

ii. 25-03-60 Foundations ABA & Counseling (Avon) – Proponent requested that this variance be tabled until the next Commission meeting.

Motion:	Vote	
Tabled	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

iii. 25-03-62 Sprinkler System (Indianapolis) – House Enrolled Act (HEA) 1253 was sent to Governor Braun on 4/24 and is due action by today (05/01/2025). This act would allow childcare ministries to be grandfathered in. At the time of the discussion the Governor had yet to sign/act upon the bill.

Motion:	Vote	
Tabled	Yes	No
Craig Burgess		
Logan Cook		
John Crisp	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich		
David Porter	\boxtimes	
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

iv. 25-03-67 Facilities Building (Greenfield) – Pink foam board along the walls and ceiling that was done about five (5) years ago. The issue was that the building was occupied. The building is primarily used for storage, there are three (3) offices located in the building – with two (2) offices being used for the facilities manager and the supervisor. Items that are stored in the building include equipment such as skid steer, gator, and salt supplies. The Fire Marshall is neutral regarding this matter and the proponent found that the least expensive solution would be a special paint to go over the foam which is roughly \$22,000. Removing the offices from the building would be difficult as there is a shortage of office space in the community (which is why those offices got moved there initially).

Motion:	Vote	
Denied	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

b. New

i. 25-04-27 Graber Lumber (Spencerville) – No proponent present. This is the first time this variance has been tabled due to lack of proponent.

Motion:	Vote	
Tabled	Yes	No
Craig Burgess		
Logan Cook		
John Crisp	\boxtimes	
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

ii. 25-04-28 The Barns at Marengo Cave (Marengo) – The structure is an event barn, and the variance is for a fire alarm due to added measures that were proposed. The structure was built without a release by the owners in 2023. The original variance was 24-12-87 and the proponent needed to come back to the Commission after obtaining a CDR. The original plans showed the added fire alarm system. With a tank and a fire pump the proponent could comply with the code.

Motion:	Vote	
Denied	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
Daivd Porter	\boxtimes	

Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

iii. 25-04-29 Midway Auction Barn (Fountian City) – Livestock auction barn/facility that is approximately 26,000 square feet. 16,000 square feet is occupancy U; 4,800 square feet is under A2 occupancy; 4,800 square feet is under A4 occupancy. There is a fire wall between the A2 and A4 occupancy. The local building department suggested getting a variance or put in a sprinkler system, but there is a lack of water supply. There is over the number of required egress doors. The building is only used 1-2 days a week and the building is not tied to the grid so there is no electrical service. The bleacher area seats approximately 260 people. The variance is to cover the utility room where the hot water heater is and a portion of the lobby/check in area, none of the arena is covered. The local Fire Chief is supportive of the suppression system that the proponent wants to use.

Motion:	Vote	
Approved with Conditions: Restrict the occupant load of 300 or less in the seating area/A-2 and posted occupant load of 100 or less in A-2 Concession area. The fire alarm system shall be compliant with 2010 editions of NFPA 72	Yes	No
Craig Burgess	\boxtimes	
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

- iv. 25-04-31 Flats at Heartland Crossing (Camby) Withdrawn by proponent, no action needed to be taken by the Commission.
- v. 25-04-32 Rooftop Solar Installation UTS Engineering (Mooresville) No proponent present. This was the first time this variance was tabled due to lack of a proponent.

Tabled	Yes	No
Craig Burgess	\boxtimes	
Logan Cook		
John Crisp	\boxtimes	
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

vi. 25-04-33 Tatu Lounge (Indianapolis) – Existing structure in operation since 2007, the current tenant has been there for about a year or two. The request per the local fire department is an occupant load of 299. The previous occupant load was for 282, so looking for a 17-occupant load increase. The current tenant installed horn strobes and pull stations. The original building was built with fire walls separating the restaurant/bar space. IFD gave them the occupant load of 299, actual calculated occupant loas is between 320-330.

Motion:	Vote	
Approved with Conditions: Have a posted occupant load of 299.	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

vii. 25-04-34 101 Ag Bldg N1 (Pendleton) – No proponent present. This was the first time this variance was tabled due to lack of a proponent.

Motion:	Vote	
Tabled	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Ppoich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

viii. 25-04-35 Saint Nicholas Orthodox Church New Church Building (Indianapolis) — Purchased the property about 20 years ago and have a building that is intended to be their fellowship hall but is also used for worship services. The are asking to not have the altar area accessible, it is 8 inches elevated and has 2 risers. Altar area is only occupied by the clergy, no choirs or congregants, all of the sacramental services are done on the main level which is accessible. There is no ADA violation because religious facilities are not subject to the ADA. This will be used strictly for a liturgical function for the priests and other clergy members.

Motion:	Vote	
Approved	Yes	No
Craig Burges		
Logan Cook		
John Crisp		
Todd Hite		
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

ix. 25-04-36 Franklin St Lofts (Evansville) – No proponent present. This was the first time that this variance was tabled due to a lack of a proponent.

Motion:		Vote	
Tabled	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook			
John Crisp	\boxtimes		
Todd Hite	\boxtimes		
James Murua	\boxtimes		
Buckie Olaleye	\boxtimes		
Michael Patarino	\boxtimes		
Michael Popich	\boxtimes		
David Porter			
Lane Slaughter	\boxtimes		
Kenneth Wagner			
Michael Zehner			

x. 25-04-37 Purdue University Northwest New Residence Hall (Hammond) - The structure will be sprinklered with an NFPA 13 system. Elimination of gaskets on corridor doors, as they tend to be propped open anyway. Rooms will require smoke detection; corridor smoke detection system will be connected to HVAC system to shut it down. This has been done before on some other universities that the contractor has built.

Motion:	Vote	
Approved: Variances A-E Denied: Variance F	Yes	No
Craig Burgess	\boxtimes	
Logan Cook		
John Crisp	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Buckie Olaleye	\boxtimes	
Michael Patarino		
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

xi.	25-04-38 The Signature Carmel (Carmel) – Existing apartment building that has three high efficiency furnaces. The structure had these in for at least two winters and both winters, because of the challenges of the piping going underneath the beams, high ceilings in some areas, they had to take a precarious route (resulting in lots of bending in the piping). When the furnaces ran constantly, they would shut off due to condensation not being able to get out. The proponent wants to take a more direct route going right into the parking garage with a 2-hour wall that separates. Carmel Fire Department has no other comments regarding the matter. The garage is continuously ventilated and never shuts off.
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Motion:	Vote	
Approved	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

xii. 25-04-39 1102 E 16th Street Renovation (Indianapolis) – The tenant installed a shower on the 2nd floor for employees who like to bike to work. Permits were issued during construction and passed, everything was completed, and the first floor was rented out to a different tenant. During the final walk through it was found that there wasn't a shower on the first floor. The cost to add a shower to the first floor would be about \$25,000. This variance wasn't about whether the 2nd floor shower needed to be accessible but whether the 1st floor needed a shower. A shower is not required for this occupancy group, and they are two separate businesses.

Motion:		Vote	
Dismissed (No Variance Required)	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook	\boxtimes		
John Crisp	\boxtimes		
Todd Hite	\boxtimes		
James Murua	\boxtimes		
Buckie Olaleye			

Michael Patarino	\boxtimes		
Michael Popich			
David Porter	\boxtimes		
Lane Slaughter	\boxtimes		
Kenneth Wagner			
Michael Zehner			
xiii. 25-04-40 Arrow McLaren Renovation (Indianapolis) – Correctly identified as Type 2-B construction. 4,500 square feet of 2 nd level floor construction, open web with joists and decking (wants that to remain). Variance involves an expansion on the 2 nd level. In 2018 the project expanded part of the 2 nd floor. That project was filed as an unlimited building, so it didn't require a construction type, allowing wood construction as part of that project. Required construction is 2-B because they are unable to do unlimited area. Sprinkled above and below the ceiling.			
Motion:		Vote	
Approved (Variances A & B)	Yes	No	
Craig Burgess	\boxtimes		
Logan Cook			
John Crisp			
Todd Hite	\boxtimes		
James Murua			
Buckie Olaleye	\boxtimes		
Michael Patarino	\boxtimes		
Michael Popich	\boxtimes		
David Porter			
Lane Slaughter			
Kenneth Wagner			
Michael Zehner			
xiv. 25-04-41 Fire Doors Removal (Fort Wayne) – No proponent present. This was the first time this variance was tabled due to lack of a proponent.			
Motion: Tabled	Yes	Vote No	
Craig Burgess	Yes	NO	
Logan Cook			
John Crisp			
Todd Hite			
James Murua			

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

xv. 25-04-42 Silver Collection at Saxony Swimming Pool (Fishers) – 6 skimmers rated for 500 square feet per skimmer. They would only need 4 skimmers; an additional one wouldn't be unsafe for the public as they are surrounded by a lake providing wind. 120 gallons a minute is required for a 6-hour turnover rate, proponent is at 140 gallons a minute. 4 bubblers at 20 gallons a minute, 4 deck jets at 5-7 gallons a minute. The pool is only 4 feet deep. The pool is not done, still in the permitting process.

Motion:	Vote	
Approved	Yes	No
Craig Burgess	\boxtimes	
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter		
Lane Slaughter		
Kenneth Wagner		
Michael Zehner		

xvi. 25-04-45 River Centre Event Tent (Jasper) – Requested variance again for this year. IDHS staff denied in-house, this variance was approved for 2 years back in 2023. The proponent resubmitted to ask for 1-year (IDHS staff is proposing denial). 60x100 foot tent. Owner owns the tent, rental company comes out to install the tent. The owner put a turf pad with landscaping around it, lighting and exit signs around it, and is inspecting it as required. LFO letter displays no concerns over the request. There is no open fire allowed. The proponent states there is no permanent solution because they are unable to being in a floodplain. The tent is only used 62 days out of the year (only used Fridays and Saturdays). The tent is used for community public events as well as private events that are larger than what can be held on the rooftop.

Motion:	Vote	
Approved with Conditions: 1) If proponent comes before the Commission again, they must have an understanding of why a more permanent structure cannot be built. 2) No events past November 1 st , 2025, and the tent had to come down November 10 th , 2025.	Yes	No
Craig Burgess	\boxtimes	
Logan Cook		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

xvii. 25-04-46 Porter Lakes Elementary School Addition and Renovation (Hebron) – Expansion of a wing, new vestibule and commons area, expansion of cafeteria and serving area. 2021 addition was not sprinklered. Similar to the 2015 additions but adding on more square footage. Area that is out of scope, requesting sprinklers in lieu of separation. Just over 44,000 square foot of sprinkler area.

Motion:	Vote	
Approved with Conditions: Approved with additional sprinkler approximately on the south side – west length adjacent to cafeteria and gymnasium (Porter Lakes ES Sprinkler Plan)	Yes	No
Craig Burgess		
Logan Cook		
John Crisp		
Todd Hite		
James Murua		
Buckie Olaleye	\boxtimes	
Michael Patarino	\boxtimes	

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

xviii. 25-04-47 Trinity Design & Remodel Variance (Lawrenceburg) – Variance originally heard in September 2024, the proponents didn't know a lot about the process. There was an approved variance to sprinkler the building which the proponents were given one year to do, but they didn't want to sprinkler the building. Quoted for a sprinkler system for \$500,000, also obtained 3 other bids with the prices coming back at \$225,000. Instead, they installed a 2-hour fire barrier which reduced the area to 6,900 square feet, they added a dust collection system aligned with NFPA 664, and added more doors to make it code compliant. LFO doesn't have any reservations against this.

Motion:	Vote	
Approved with Conditions: Must comply with the 2012 Edition of NFPA 664.	Yes	No
Craig Burgess	\boxtimes	
Logan Cook (A)		
John Crisp		
Todd Hite	\boxtimes	
James Murua		
Buckie Olaleye		
Michael Patarino		
Michael Popich		
David Porter		
Lane Slaughter	\boxtimes	
Kenneth Wagner		
Michael Zehner		

- 8. Industrialized Building Systems Applications and Renewals
 - i. None
- 9. Report on Administrative Review
 - a. OALP Non-Final Orders Commission Review/Action Required as Ultimate Authority

- i. DHS-2405-001267 Grateful Care ABA v. Indianapolis
- b. New Cases Monitoring Only
 - i. None
- c. Ongoing Cases
 - i. DHS-2410-002827 Swanson Center
 - ii. DHS-2502-000619 RCA Properties
 - iii. DHS-2503-001158 (1) North Knox School Corp.
 - iv. DHS-2504-001231 (2) North Knox School Corp.
 - v. DHS-2504-001237 (1) Vincennes School Corp.
 - vi. DHS-2504-001248 (2) Vincennes School Corp
 - vii. DHS-2504-001299 Simplicity Furniture
- d. New Filings Commission Review / Action Needed
 - i. None
- e. OALP Final Orders No action required.
 - i. None

10. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Tuesday**, **June 3**, **2025**, **at 9:00am**. The meeting will be held in the **Indiana Government Center South** in the **Auditorium**. 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.

11. Adjournment

The meeting was adjourned at 4:50 P.M.