MEETING MINUTES

For the October 2024 Meeting.

MEETING DETAILS

Date: October 10, 2024
Time: 9:00 AM
Location: Government Center South – Conference Room B

Member Attendance

Name	Present		Means of Participation
	Yes	No	
Craig Burgess	☒	☐	In Person
Logan Cook	☒	☐	In Person
John Crisp	☒	☐	In Person
Harold Davidson	☒	☐	In Person.
Todd Hite	☒	☐	NA
James Murua	☒	☐	In Person
Michael Patarino	☐	☒	In Person
Michael Popich	☒	☐	In Person
David Porter	☒	☐	In Person
Lane Slaughter	☒	☐	In Person
Kenneth Wagner	☒	☐	In Person
Michael Zehner	☐	☒	In Person

1. Call to Order

Chairman Murua called the meeting to order at 9:01am.

2. Roll Call

Rolll call was taken. Quorum was met.

3. Review of September 2024 Minutes

September minutes were approved as submitted.

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 –** Meeting twice this October. Working on Fiscal impact analysis. Vice-Chair Popich resigned as Chairman due to potential conflict. Director Dyer named Chairman.

ii. **Building Code Update Committee –** Building code continues progressing. Hawkins working on fiscal impact.

iii. **Fire Code Update Committee –** Continues on schedule.

iv. **Lift Device Update Committee –** Continues work with option for full compliance with current version of rules while work continues.

v. **Civil Penalty Rule –** Commission voted to approve rule as Final Rule. DHS will continue rulemaking actions.

6. Variances

a. Tabled

i. **24-07-37 The Franciscan Center (Fort Wayne) –** Chairman Murua noted that they are moving forward. Already secured someone for fire alarm and sprinkler system in the structure. Local entity extended time for compliance. **Tabled.**

ii. **24-07-43 7 Brew Drive Thru Coffee (Greenwood) –** IT cabinet located in restroom. 15 locations with same layout in state. 280 locations across the country with same layout. 8 employees, Drive-Thru only location. Restroom restricted to employees. **Approved.**

iii. **24-08-29 Al-Haqq Foundation Monitored Fire Alarm (Indianapolis) –** No proponent. Tabled for second time.

iv. **24-08-31 DeHaven Venue (Yorktown) –** Derek H. presented. Event barn. Presented as having an R3 apartment above. Owner has decided to move away from apartment and use space as bridal suite / dressing room. **Conditions:** A2 and B only. Cap of 150

occupants. No residential allowed. NFPA 72 (2010 Edition) Compliant fire alarm system.

v. **24-08-34 Convenience Store (Indianapolis) –** Mario, General Contractor, presented. Building plans were incorrect. **Approved.**

vi. **24-08-37 n Winery (Valparaiso) –** Proponent requested that the variance be tabled. **Tabled.**

b. New

i. **24-09-37 Milford Elementary School (Milford) –** A2L Refrigerant with ventilation and detection system in use compliant with 2021 and 2024 code but out of compliance with current code. **Approved.**

ii. **24-09-38(a)(b) Westgate on Third Apartments (Bloomington) –** Variance A is A-category. B concerns fire barrier be permitted to end at drywall with addition of close-space sprinklers. **Approved.**

iii. **24-09-39(a)(b) Nucor Towers and Structures (Crawfordsville) –** A is void. Excess storage of hazardous materials normally requires H occupancy, asking to be classified as an F-2. Interaction of sprinklers with molten ink could create hazard for employees and responders. Commission expressed reservation about classing down to a non-H structure is not a favored way to proceed when there are other options that could be considered. Commissioner Burgess notes that occupancy group is central to the identity and use of a building and should not be changed if other options are available. **Tabled** while architect reconsiders variances as an H occupancy.

iv. **24-09-40 Ohio County Holding Addition and Renovation (Rising Sun) –** Request to permit wiring from other areas of building to terminate in elevator machine room. Proponent notes that only sherrif's deputies would have access to elevator machine room. Matt Cronley notes that they would not be allowed into elevator machine room without authorized elevator personnel. Proponent notes that nobody on staff authorized elevator personnel. Will still need a variance to elevator code. Proposed condition (for future use): Access to elevator equipment room permitted to qualified maintenance professional trained in elevator safety for access to electrical panel. **Tabled.**

v. **24-09-41 Event Barn Change of Use and Addition (Depauw) –** Wedding barn. No professional cost analysis of sprinkler and water systems, unclear if barn is still an agricultural building. **Tabled** while proponent gathers additional information.

vi. **24-09-42 Specialties Company (Noblesville) –** Garages used for repair of trucks or buses over 5k feet require a sprinkler system. Asking for smoke detection and fire alarm in lieu of sprinkler. Mr. Cross notes that Noblesville Fire is not the responding agency. Mr. Cook expresses concerns that the cost of the variance is low in comparison to the assets of the site. **Denied.**

vii. **24-09-43 C-Store Addition (Indianapolis) –** Kelly Westley, architect, presented. Requesting variance to not put ramp in on elevated flooring in cashier area. **NVR.**

viii. **24-09-44 Behavioral Health Outpatient Center (Indianapolis) –** Requesting variance for restroom grab bars, 38" above the floor for vertical, 44" for horizontal. Monitored behavioral health facility required to use tank-type toilets due to lack of water pressure in leased facility. Placement of bars for ligature resistance. **Approve.**

ix. **24-09-45 Fire Inspection (Kokomo) –** Asking to comply without using Rule 13 or Chapter 34. Licensed childcare center from FSSA, not a daycare or registered ministry. DHS opposed to variance. Did not seek an architect to get a change of use. **Tabled.**

x. **24-09-46 Fire Inspection (Kokomo) – Tabled** with 24-09-45.

xi. **24-09-47 The Union at Fishers District Phase 2 (Fishers) –** Proponent requests tabling.

xii. **24-09-48 Willow's Edge Event Venue (Winchester) –** Group A2 occupancy exceeds 5000 square feet, occupant load of 100+. Requires sprinklers. Requesting to allow occupant load of 250 with no fire suppression system. Previous variance (22-10-23) that proponent is compliant with. $252,000 just to get water to property with correct pressure. Provided letter from mayor noting that no new development will be happening in that area for the foreseeable future. Commission suggested looking into a tank and pump system, willing to extend time to explore options, but still requiring sprinkler system for event venue this size. **Approve with condition:** Expires December 31, 2026.

xiii. **24-09-49(a)(b)(c) Ball State University Performing Arts Center (Muncie) –** Four delayed egress doors requested, two per floor. Doors unlock within 15 seconds, open at sprinkler activation and fire alarm. **Approved.**

xiv. **24-09-50 The Hub at Pennsy Trail – Multifamily Apts (Indianapolis) –** Tim Callas. 16 buildings on site. 148 non-compliant windows. New windows will be compliant but current windows would cost $300,000 for compliance, total project several million. Vice-Chair Popich notes that mailing address may be Indianapolis but location is actually in Hancock County for purposes of jurisdiction. **Approve with conditions:** Variance only for all first floor windows and second-and-third-floor units with Juliet balconies on currently-constructed buildings.

xv. **24-09-51(a)(b)(c)(d)(e)(f)(g) Ball State University Village (Muncie) –** Ed Rensink. Permit A2 occupancy above the fifth level (roof terrace). **Approved.**

xvi. **24-09-52 Penguin Random House Expansion (Crawfordsville) –** Buildings protected by EFFR sprinkler systems must not exceed 400 feet exit distance. Requesting 600 feet. Melissa Tupper.

xvii. **24-09-65 Green Center Haunted Schoolhouse (Albion) –** Variance for haunted house. Code amends section for width of aisles to be 3 feet wide except for some sections less than 4 feet to be two feet wide. Asking to decrease 3-foot requirement in several areas. **Approved.**

7. Industrialized Building Systems Applications and Renewals

i. HWC – Renewal approved.

8. Report on Administrative Review

i. OALP Non-Final Orders – Commission Review/Action Required as Ultimate Authority

   i. None

ii. New Cases – Monitoring Only

   i. DHS-2409-00XXXX – OCC Preschool

iii. Ongoing Cases

   i. DHS-2402-000396 – Knight's Inn v. Seymour Fire
   ii. DHS-2404-000891 – Somnath Hospitality v. City of Seymour
   iii. DHS-2405-001267 – Grateful Care ABA v. City of Indianapolis
   iv. DHS-2407-001585 – SEE Purpose LLC
   v. DHS-2408-001938 – Earl Boulware v. IDHS
   vi. DHS-2408-00XXXX – Larence County (Paula Stewart) v. IDHS

iv. New Filings – Commission Review / Action Needed

   i. None

v. OALP Final Orders – No action required.

   i. None

9. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Thursday, November 7, 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.

10. Adjournment