

**COMMISSION MEETING MINUTES**

**Indiana Fire Prevention and  
Building Safety Commission**

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

June 2, 2009

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hannum at 9:05 a.m. on June 2, 2009.

- (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Michael Christoffersen  
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health  
Michael Corey  
Hattie Sims, representing the Commissioner, Department of Labor  
David Hannum, Chairman  
John Hawkins  
M. Burke Jones  
Ted Ogle  
James Ridley

- (b) The following departmental and support staff were present during the meeting:

Support Services Division, Legal and Code Services  
Mara Snyder, Director, Legal and Code Services  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Beth Sutor, Secretary

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the May 5, 2009 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Ridley and seconded by Commissioner Brenner. It was voted upon and carried.

3. **Ordinances.**

Building Ordinance No. 2-17-09  
Akron, Indiana

Building Fee Schedule Ordinance No. 2-17-09A  
Akron, Indiana

Shelley Wakefield, Director, Fire and Building Code Enforcement, presented the ordinances for the Commission's consideration, recommending approval of Ordinance No. 2-17-09 and recommending no action be taken on Building Fee Schedule Ordinance No. 2-17-09A because it was about fees only and not the Commission's statewide codes. Commissioner Christoffersen moved to approve ordinance 2-17-09 with the second by Commissioner Ridley. It was voted upon and carried. After noting a typographical error on the agenda listing the Fee Schedule Ordinance as No. 2-17-19A, Commissioner Christoffersen moved no action be taken on 2-17-09A with the second by Commissioner Ridley. It was voted upon and carried.

4. **Third Party Certification and Inspection**

Hilborn, Werner, Carter and Associates Inc.  
1627 South Myrtle Avenue  
Clearwater, Florida 33756

Shelley Wakefield, Director, Fire and Building Code Enforcement, presented the application for third party certification, recommending approval for a period of one year. Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

5. **Variances.**

**Tabled Variances.**

Variance 09-04-20 Miller-Eads Co. Interior Remodel, Indianapolis, was represented by Gregory Noeth, architect. Greg Costello of Miller-Eads also addressed the Commission. They had been asked to sprinker their basement spaces in what had been an old shopping center. The basements, while lacking a communicating doorway, are used for storage of metal gang boxes to hold tools on construction sites. The first floor is used as a warehouse for tools and materials and as a pre-fab area for jobs. This raised a question of whether the occupancy classification should be an F1 or F2. Commissioner Ogle moved to table to allow time to research with the second by Commissioner Corey. It was voted upon and carried. Variance 09-04-37 Memorial Hospital and Health Center Air Handler 13 Replacement, Jasper, was represented by Doug Trent, RTM Consultants and Doug Fich, mechanical engineer, BSA LifeStructures. After a lengthy discussion of the capability of the proposed unit to prohibit smoke crossover plus proposed safety features of the exhaust system, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance 09-05-3(b) Plum's Upper Room, Zionsville, was represented by owner Jayne Nolting. She presented photographs of the additions done to the landing and drawings of the modifications to increase the headroom she was able to make, though it was still short of being code-compliant by one-half inch. Commissioner Christoffersen moved to approve with the second by Commissioner Corey. It was voted upon and carried. Variance 09-05-6 Parkside Apartments of Charlestown, Charlestown, was represented by Denis Frankenburger and Clayton Pace of Parkside, with Richard Hart and Herb Sholhafer of Studio Kremer Architects. The request was to delete sprinklers in 14 buildings that contain 16 units each. These buildings will

have the fire walls and fire barriers installed as called out in the proposed chase amendments. After discussion, Commissioner Hawkins moved to approve with the condition they comply with all of the requirements of the proposed chase amendments. Commissioner Christoffersen made the second. It was voted upon and carried with two nay votes being cast. Variance 09-05-12 Hobart Middle School Conversion, Hobart, was represented by Dan Wareham of McDaniel Fire Systems. The request was to be allowed to sprinkle only the catwalk which runs parallel to the stage and back over the seating area with six foot on center heads. The spiral stair, serving as the only entry to the catwalk, is in a sprinklered area. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 09-05-13(a)(b)(c) Candlewood Suites Atrium, Columbus was represented by Benjamin Elfreich, Kone Elevator. An Ecospace elevator will be installed with the inspection tools and training provided by Kone for the state inspectors. Commissioner Corey moved to approve all three variances with the second by Commissioner Ogle. It was voted upon and carried.

### **Regular Variances.**

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. There being none, Commissioner Jones moved to approve all "A" and "B" variances with the second being made by Commissioner Ridley. The motion was voted upon and carried. Commissioner Christoffersen abstained from voting on variance 09-06-24. Commissioner Brenner abstained from voting on variance 09-06-30. Variance 09-06-42 had a request to table submitted by the proponent. Commissioner Jones moved to table with the second by Commissioner Corey. It was voted upon and carried. Variance 09-06-1 and 09-06-2 were tabled at the request of the proponents.

The following variances were approved as submitted:

- (1) 09-06-4 Willowbrook Apartments, Bloomington
- (2) 09-06-5 Hampton Cove Lot 3, Indianapolis
- (3) 09-06-6 A Westside Storage, Indianapolis
- (4) 09-06-8(a) University of Indianapolis, Indianapolis
- (5) 09-06-9(a) Butler University, Indianapolis
- (6) 09-06-14 Turning Point Family Worship Center, Indianapolis
- (7) 09-06-18 Xavier School of Excellence, South Bend
- (8) 09-06-23 Mt. Pleasant Christian Church, Greenwood
- (9) 09-06-27 Ascension Lutheran Church Addition, Ft. Wayne

The following variances were heard separately:

- (10) 09-06-3 Comcast Region Move, Fishers

Ann Meagher and David Hull, Comcast, spoke as proponents. The request was to allow the use of non-fire treated wood in the construction of office and storage area walls used to modify an existing building. After a discussion of alternative methods of compliance, Commissioner Brenner moved to deny with the second by Commissioner Ridley. The proponent requested that the variance be tabled, but the maker of the motion refused to withdraw the motion. It was voted upon and carried.

- (11) 09-06-7 804 N. Delaware Office Space, Indianapolis

Nancy Long, A-1 Expeditors, Inc, spoke as proponent. The request was to allow five windows on the south façade of a building facing a parking lot, situated within three feet of the property line. The

windows in the masonry wall will be protected with rolling fire shutters carrying a three-hour UL rating. Commissioner Ogle moved to approve with the second by Commissioner Brenner so long as documentation showing the UL rating was submitted to the Indianapolis Fire Department. It was voted upon and carried.

- (12) 09-06-8(b)(c) University of Indianapolis, Indianapolis  
09-06-9(b)(c) Butler University, Indianapolis

The applications did not contain complete information for the Ecospace elevators and no one was present from the proponent. Commissioner Christoffersen moved to table with the second by Commissioner Ridley. It was voted upon and carried.

- (13) 09-06-10 Centre North Shopping Center, Fishers

The request was to be allowed to no longer maintain non-required sprinkler heads in an overhang of the building. Staff had noted that no variance was required. Commissioner Christoffersen moved that no variance was required with the second by Commissioner Ogle. It was voted upon and carried.

- (14) 09-06-11 Lake Central Cafeteria Expansion, St. John

Teri Wright, OWP/P Architects, and Bill Ledyard, Lake Central School Corporation, spoke as proponents. The foundations, etc, required to make the sprinklered addition to the cafeteria comply would be cost prohibitive. The request is to be allowed to use a fire barrier which would separate the entire existing cafeteria and addition with a two-hour fire barrier enclosure. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

- (15) 09-06-12 Leo Elementary School Classroom/Coach Office, Leo

Tim McCauley, attorney for East Allen County Schools, spoke as proponent. The request was to omit strobes in the restrooms found within some classrooms and in the restroom in the coach's office. The cost to install strobes in these restrooms to serve a student population which does not include any hearing impaired children is estimated at \$7,628. The coach's restroom is not available to students at any time, and use of the classroom facilities is only while an adult is in the classroom to provide supervision. Shelly Wakefield, Director, Fire and Building Code Enforcement, urged the Commission to require the strobes. Because they currently do not have hearing impaired students does not mean they will not be enrolled in the future. After discussion, Commissioner Cundiff moved to deny with the second by Commissioner Jones. It was voted upon and failed. Commissioner Hawkins moved to approve with the second by Commissioner Brenner. It was voted upon and carried with two nay votes being cast.

- (16) 09-06-13 Versatile Processing Group – Nabb, Nabb

The variance was now no longer incomplete and would have been eligible for the block vote. Commissioner Ridley moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (17) 09-06-15 ARC Opportunities Respite Care, Howe

Timothy Callas, J & T Consulting and Debra Seman of ARC Opportunities, spoke as proponents. The request was to omit a sprinkler system in a B occupancy building being changed into an R-3 occupancy. The building has a fire and smoke detection system, six exits with panic hardware and egress windows in

the five sleeping rooms. Regular fire drills are held and everyone must be evacuated in under two minutes. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (18) 09-06-16 Winchester Retirement Community, Ft. Wayne

Timothy Callas, J & T Consulting, spoke as proponent. He had been unable to get plans from the architect for the project, but stated that he knew where the fire walls and fire barrier were to be placed. Marcia Black, Ft. Wayne Fire Department, also addressed the Commission, asking that they deny the variance as well as two others on the agenda. After a brief discussion, Commissioner Brenner moved to table so that the proponent could provide the plans. Commissioner Cundiff made the second. It was voted upon and carried.

- (19) 09-06-17 Sycamore Pointe Retirement Community

Timothy Callas, J & T Consulting, also representing this variance, did not have the plans for the members of the Commission. Commissioner Ogle moved to table for plans with the second by Commissioner Ridley. It was voted upon and carried.

- (20) 09-06-19(a)(b)(c)(d) Community Hospital South Expansion, Indianapolis

Neal Locasto and Christina Collester, RTM Consultants, spoke as proponents for variance (a). This was to omit fire strobes in various rooms in the hospital. Strobes would be installed where they wish to notify those persons who are required to perform relocation / safety procedures, but not installed in operating rooms, neonatal intensive care, etc. The hospital uses the private mode of notification which is not clearly described in the 2008 Indiana Building Code, thereby leading to the violation. After discussion, Commissioner Ogle moved that no variance was required if the hospital was compliant with the private operating mode requirements contained in NFPA 72, 2002 edition, as adopted by the Commission. Commissioner Cundiff made the second. It was voted upon and carried. Mr. Locasto spoke as proponent for the remainder of the variances. Variances (b) and (c) dealt with the stairway doors. Variance (b) was a request to lock the doors on the stair side to prevent re-entry into the building as each floor must be independently secured from the other floors. The doors will fail open at fire alarm activation or loss of power. Variance (c) was a request to increase the time delay on egress doors from fifteen to thirty seconds. These doors in a fully sprinklered building will fail open at fire alarm activation or loss of power. After a discussion, Commissioner Ridley moved to approve both with the second being made by Commissioner Christoffersen. It was voted upon and carried. Variance (d) was a request to omit smoke dampers from duct penetrations of smoke barrier walls. The proposed design complies with NFPA 101 requirements in the fully sprinklered building. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:35a.m. He then reconvened the meeting, calling it back to order at 10:51 a.m.

- (21) 09-06-20 Clarion Saxony Hospital, Fishers

Rodney McCulloh, RTM Consultants, spoke as proponent. The building had been designed as a single

structure. The foundation had been laid and the steel ordered before the project had been placed on hold eight months ago. They now wish to build the medical office section of the building, the hospital section to follow in the future, with the structurally independent fire wall omitted due to lack of space. They will build two 2-hour fire walls, each attached to the building they are protecting. This will comply with NFPA 101 Life Safety for accreditation. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

(22) 09-06-21 Fair Oaks Motel Addition, Ft. Wayne

Timothy Callas, J & T Consulting, spoke as proponent. The existing building is adding 600 square feet to make suites and a laundry room area. The request is to omit sprinklers and allow a 1-hour fire barrier around the laundry, a 2-hour fire barrier between the existing building and addition, and a 1-hour corridor with 2 exits to the exterior as alternatives. They will also install a fire alarm throughout the entire building. Andrea Burton, Ft. Wayne Fire Department, addressed the Commission, asking that they require a sprinkler system to comply with code. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Hawkins. It failed to carry with a vote of 4 to 5. Commissioner Ridley moved to deny with the second by Commissioner Jones. It was voted upon and carried with a vote of 5 to 4.

(23) 09-06-22(a)(b) McCutcheon High School Center for Advanced Studies Addition, Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) is to omit the 4-hour structurally independent fire walls between the existing building and the addition. The fully sprinklered addition of Type IIB noncombustible construction will have 2-hour fire barriers with openings protected with close spaced sprinklers 6 foot on center. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Brenner. It was voted upon and carried. Variance (b) is a request to allow non-rated exit corridors in the fully sprinklered addition. The existing building will be separated from the addition by a 2-hour fire barrier which will be washed by close spaced sprinklers protecting the openings. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

(24) 09-06-24 Imagine ILSA West, Indianapolis

Steve Cowan, Alternative Accessibility Lifts, spoke as proponent. The request was to allow a vertical platform lift to exceed the travel distance allowed by code. The lift will have constant pressure controls, no gate and rated doors. Following discussion of safety features and the unit's similarity to a LULA lift, Commissioner Ogle moved to table so the proponent could provide further information concerning the differences between the unit and a LULA lift. Commissioner Cundiff made the second. It was voted upon and carried.

(25) 09-06-25(a)(b)(c) Maple Court Place, Goshen

Timothy Callas, J & T Consulting, spoke as proponent. The request in variance (a) is to omit a second means of egress from both a three and four story R-2 occupancy building. The buildings will have an automatic fire suppression system, and each unit will exit into a 1-hour fire resistive stair enclosure which exits directly to the exterior. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried with three nay votes. Variance (b) is a request to permit first floor central coin operated dryers to have exhausts in excess of the 25 feet allowed by the Mechanical Code. These will be arranged in a stack. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) is a

request to allow the stair doors to be locked on both the stair and the egress side. All the units enter into a stair tower, and the issue is one of security. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

(26) 09-06-26(a)(b)(c) Franklin High School Lobby, Franklin

Ed Rensink, RTM Consultants, spoke as proponent. A lobby addition to the existing gymnasium which will be used for ticket sales and concessions will exceed the allowable area for Type IIB construction by less than 2%. The area will be protected with smoke detectors, storage areas will be enclosed by 1-hour construction, and there will be no cooking in the concession areas. After discussion, Commissioner Brenner moved to approve variances (a) and (b). Commissioner Hawkins made the second. It was voted upon and carried. Variance (c) was a request for temporary means of egress during construction. Physical education classes will not exceed 70 persons, thereby requiring only two exits. Team practices will also be limited to 70 persons. Exit signs and lighting will be installed. After-school events will not be held until new exit doors are installed in the addition. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(27) 09-06-28 Cooper Tire Distribution Center, Franklin

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to reduce the number of fire extinguishers and increase the space between them in the building. An agreement had been reached with the Franklin Fire Department about placement, and a copy of the planned location of the hose drop and fire extinguishers was provided. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(28) 09-06-29(a)(b)(c)(d) Happy Hollow Elementary School, West Lafayette

Gerard Skibinski, architect, and Ed Rensink, RTM Consultants, spoke as proponents. The proposed addition will exceed allowable area for Type IIB construction for an E occupancy. All of the addition except the cafeteria and food service area additions will be separated with a 2-hour fire barrier, and there will be no cooking since prepared food is brought in by a vendor. Travel distance in the addition is 75 feet. The corridor which provides access to the large group instruction (LGI) room will access a single exit with a dead-end of 51 feet. The LGI will also have a direct exit to the exterior. Signage will be provided to direct occupants to exits, and the dead-end corridor will be closed down for after-school events. After discussion, Commissioner Brenner moved to approve variances (a),(b), and (c). Commissioner Jones made the second. It was voted upon and carried. Variance (d) was for a temporary means of egress during construction. The exit marked as #1 on the plans will be closed during construction. The swing on the doors into the fitness room will be corrected to serve as an exit during this time. Signs directing occupants to exits will be installed. The school would like to use the cafeteria for the first half of the construction period and will provide a second exterior exit from the area to the east. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(29) 09-06-30 J W Marriott Hotel Complex, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of a roof slope of 1/8 inch per foot instead of the code-required 1/4 inch per foot due to lack of height for flashing at the roof and adjacent curtain wall detail. The roof is provided with a secondary drainage

system, and has structural capacity to support ponding. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried with one nay vote.

- (30) 09-06-31 Lilly K301 Site Services Facility, Indianapolis

Ed Rensink, RTM Consultants and Bruce Spacer, Fire and Security Team Leader, Eli Lilly, spoke as proponents. The request is to omit the voice alarm fire alarm system and be allowed to use the standard Lilly pager and alarm system which is used throughout the rest of the Lilly complex to maintain consistency. The pager system is controlled from a central monitoring site providing announcements. Strobes and horns will also be provided. Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (31) 09-06-32 Lilly M74 Mechanical Penthouse, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request is to omit the fireproofing on the exterior face of the structural steel columns of the existing mechanical penthouse. The penthouse is used only for sheltering of mechanical equipment, and is provided with an automatic sprinkler system. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (32) 09-06-33 Camp Lutherwood Cabins, Howe

Ed Rensink, RTM Consultants, spoke as proponent. The request is to omit sprinklers from three cabins to be used 9 weeks out of the year for summer camp. No public water supply is available for the sprinkler system. The buildings, replacements for four existing cabins, will be forty feet apart. They will hold ten campers and two counselors with two direct exits to the exterior. Minimal lighting will be provided, and no cooking will be done in the cabins. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (33) 09-06-34 Marquette Manor Independent Living Units, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request is to be allowed to draw return air through a grill in the closet wall for an air handling unit with a hot water heat exchanger within it, housed in a mechanical closet. The closets are mechanical closets only. Jeff Dean, City of Indianapolis, questioned the drawing of return air from a closet space. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (34) 09-06-35 University of Southern Indiana University Center Food Service Expansion, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The existing balcony of the building will be enclosed and used with the existing kitchen area. This now requires the area to be sprinklered. The kitchen expansion will be used for walk-in freezers and coolers, work surfaces, ovens and cooktops which will be provided with hoods and fire suppression systems. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (35) 09-06-36 Aurther New Townhouse Apartments, Seymour

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit sprinklers in the apartment building. The building will comply with requirements of the proposed IBC chase amendments included in the application. Travel distance is code-compliant, and each unit has an exit directly to the exterior.

After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

6. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 11:57a.m. He then reconvened the meeting, calling it back to order at 1:07 p.m. Commissioner Ridley and Commissioner Brenner were not present.

- (36) 09-06-37 Indiana Live Casino, Shelbyville
- (37) 09-06-38 Bishop Brute College Seminary, Indianapolis
- (38) 09-06-39 Weaver Oil Blend, Van Buren

The proponent had not yet returned from lunch recess. It was suggested and agreed to that they be heard later in the meeting.

- (39) 09-06-40 Industrial Park Warehouse Pfizer Building 535, Terre Haute

Matt Edwards, Pfizer, spoke as proponent. The building had been used by Pfizer until 2008 when they vacated the building. The sprinkler system has been maintained, and the request is to now deactivate the system but to leave the piping and monitored alarm panel. With the condition that a sign be placed at the riser stating the system is inactive, Commissioner Christoffersen moved to approve. Commissioner Hawkins made the second. It was voted upon and carried.

Commissioner Ridley in attendance at 1:12 p.m.

- (40) 09-06-41 Griot's Garage, Plainfield

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow exit travel distance over that allowed by code. The building will be sprinklered, and the room will be separated by a 2-hour fire barrier. No public will be allowed in the area, and only 11% of the floor area is over the 100 foot travel limit. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (41) 09-06-43(a)(b)(c)(d) Sandison Hall Renovation, Terre Haute

This application will be heard later in the meeting in addition to those postponed earlier.

Commissioner Brenner in attendance at 1:18 p.m.

- (42) 09-06-44 Centre North Shopping Center, Fishers

The owner wishes to remove sprinkler heads which are not required from a canopy overhang. Staff felt that no variance was required. Commissioner Christoffersen moved no variance required with the second by Commissioner Jones. It was voted upon and carried.

- (43) 09-06-45(a)(b) Hickory Grove Church Addition, Delphi

Ed Rensink, RTM Consultants, spoke as proponent. A proposed addition to the church will put the building over area and require sprinklers. The request in variance (a) is to omit these sprinklers. Each floor level has at least 2 direct exits to the exterior due to the slope of terrain surrounding the church, with the new lower level exit replacing an existing interior stair. A public water supply is not available to support a sprinkler system. Variance (b) is a request to omit the installation of a firewall. This would break up the space gained from the addition, and the cost to upgrade existing 1900's construction would close the project. The local fire department supports the variance. After discussion, Commissioner Christoffersen moved to approve both variances. Commissioner Cundiff made the second. It was voted upon and carried.

- (44) 09-06-46 Cloverdale High School Greenhouse Addition, Cloverdale

Ed Rensink, RTM Consultants, spoke as proponent. A new greenhouse will be added to the school to replace an existing structure. The new structure will add slightly more than a 1% area increase with a low fire hazard, and will have direct access to the exterior. The request is to omit the required fire wall separating the new greenhouse from the existing school. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (45) 09-06-47 St. John's Missionary Baptist Church New Sanctuary Building, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The speakers platform is reached by three steps with no other means of accessibility available. The request is to be allowed to use a portable wheelchair lift to provide access. A ramp system is not feasible in the space. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (46) 09-06-48 Red Gold Migrant Housing Building D, Orestes

Doug Trent, RTM Consultants, together with Mike Harmon and Steve Austin of Red Gold, spoke as proponents. The company is replacing existing cabins used by seasonal employees with the 12 units designed to comply with the proposed IBC chase amendments. Commissioner Hawkins moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (47) 09-06-37 Indiana Live Casino, Shelbyville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An elevated dance platform for nine dancers is accessed by a spiral stair. Code allows for only five or less occupants if accessed by a spiral stair. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (48) 09-06-38 Bishop Brute College Seminary, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow non-compliant egress windows in rooms being converted to sleeping rooms in the 1929 masonry building. The rooms will have smoke detectors and will be sprinklered. After discussion, Commissioner Brenner moved to

approve with the second by Commissioner Christoffersen. It was voted upon and carried.

(49) 09-06-39 Weaver Oil Blend, Van Buren

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request is to omit sprinklers in the rail car off-loading shelter. The rail cars will be carrying vegetable-type oils, and may exceed amounts allowed by code. The steel-framed building is open on both ends and is minimally occupied when rail cars are being pumped out. The nearest building is 66 feet away and the property line is 35 feet away, bordering on farmland. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

(50) 09-06-43(a)(b)(c)(d) Sandison Hall Renovation, Terre Haute

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An existing ten-story dormitory is being completely renovated. Variance (a) is a request to omit elevator lobbies. The building will be sprinklered, and NIST studies show sprinklers do more for occupant protection by slowing fire growth than elevator lobbies. Commissioner Cundiff moved to approve with the second by Commissioner Corey. It was voted upon and carried. Variance (b) is a request to omit Type B accessible units. There will be eight fully accessible units in the building with others available across campus. Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance (c) is a request to permit a 29 foot dead-end corridor on both ends of the building. With fewer occupants and an automatic fire suppression system, this is an improvement upon a condition that previously existed and is only 1 foot longer than the existing dead-end. Commissioner Ogle moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (d) was a request to omit the fire command center since they are using the high-rise package. Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Commission Action

Camp Carson Grandview Cabins  
Administrative Cause No. 09-09  
Order – Office of the State Fire Marshal  
Nonfinal Order of Dismissal

Trinity Village  
Administrative Cause No. 08-24  
Order – Office of the State Fire Marshal  
Nonfinal Order of Dismissal

Carlisle Industrial Brake & Friction  
Administrative Cause No. 09-02  
Order – City of Bloomington  
Nonfinal Order of Dismissal

One West Condominiums  
Administrative Cause No. 09-14  
Order – Indianapolis Fire Department  
Nonfinal Order of Dismissal

Commissioner Ridley moved to approve all Nonfinal Orders of Dismissal with the second by Commissioner Jones. It was voted upon and carried.

Big Boom Fireworks  
Administrative Cause No. 08-37  
Denial of Permit  
Notice of Filing Report, Findings of Fact and  
Nonfinal Order of Dismissal

Objection filed by Petitioner  
Administrative Cause No. 08-37  
Denial of Permit

The Commission set a briefing schedule for Cause No. 08-37 with briefs to be filed not later than July 10, 2009. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

Goldman Union Camp Institute  
Administrative Cause No. 08-71  
Order – City of Indianapolis  
Notice of Filing Report, Findings of Fact and  
Nonfinal Order of Dismissal

Objection filed by Petitioner  
Administrative Cause No. 08-71  
Order – City of Indianapolis  
Not timely filed

After discussion and a decision to accept the objection though not timely filed, the Commission set a briefing schedule for Cause No. 08-71 with briefs to be filed not later than July 10, 2009. Commissioner Ridley moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

Decatur Twp. Fire Station #772  
Administrative Cause No. 09-23  
Denial of Variance 09-04-48(a)

Remand to Commission

After a brief discussion, Commissioner Hawkins moved to grant the variance and dismiss Administrative Cause No. 09-23. Commissioner Ridley made the second. It was voted upon and carried.

Discussion and Commission Action on Petitions For Review (All are timely filed unless otherwise noted.)

Sellersburg Center Variance 09-05-4  
Sellersburg Fire Department

River Ridge Apartments  
Order – City of Indianapolis

St. John’s Missionary Baptist Church  
Order – City of Indianapolis

Commissioner Ridley moved to grant all timely filed petitions for review. Commissioner Ogle made the second. It was voted upon and carried.

Eastern Indiana Center for Ambulatory Surgery  
Order – Fire and Building Code Enforcement – *not timely filed*

Commissioner Ridley moved to deny with the second by Commissioner Jones. It was voted upon and carried.

7. **Discussion and possible adoption of LSA Document #09-139.**

Mara Snyder, Director of Legal and Code Services, noted that the Commissioners had the minutes from the hearing and copies of all documents submitted. Commissioner Ogle, Commission representative on the Electrical Code Committee, thanked everyone for working so hard on the code. Chairman Hannum asked if the items taken out of the original document could be reinserted at this time. It was explained that it would not be permitted because the items removed before publication in the Register weren’t shown anywhere and were unavailable for inspection by the public. It must be adopted as published or rejected. Commissioner Christoffersen stated the IRC committee should be the body to deal with electrical code issues involving residential buildings and urged the document not be adopted. Commissioner Christoffersen moved to not adopt LSA Document #09-139. Commissioner Brenner made the second. It was voted upon and carried.

8. **Discussion and possible adoption of LSA Document #09-140.**

A discussion was then held concerning the possible adoption of LSA Document #09-140.

Before the discussion began, it was noted by Mara Snyder, Director, Legal and Code Services, that if the Commission were so inclined, the items recommended for deletion from the National Electrical Code (NEC) could be reinserted as part of the adoption. These items are published in the model code and available for inspection by the public. A fiscal impact study of reinserted items would not have to be sent to the State Budget Agency, but a report of the findings would be required to be sent to the Governor's office for his information. The members of the Commission were reminded that they may adopt as presented, adopt with one or all deletions reinserted, or reject the document.

Chairman Hannum called for discussion about possible re-insertion of deleted items. Commissioner Hawkins brought forward the use of ground fault interrupters at sinks and drinking fountains, noting his firm routinely uses them when dealing with hospitals and schools as they are found in the model code, and he would prefer to err on the side of safety. A discussion was then held on trying to determine the estimated cost of GFCIs used in educational (E) and institutional (I) occupancies for the fiscal impact study since that information is not routinely available through Plan Review.

Commissioner Christoffersen moved to adopt LSA Document #09-140 as presented with a second made by Commissioner Cundiff. Chairman Hannum called for any further questions or discussion, and Commissioner Hawkins stated he felt it was time for arc-fault interrupters (AFCIs) to be adopted. He said Indiana is the only state who hasn't adopted them. Commissioner Christoffersen felt that to include AFCIs found in the NEC would impact the cost of housing adversely. Commissioner Hawkins felt they were another useful safety tool and quoted Commissioner Christoffersen from a previous discussion where he said that today's new wiring is tomorrow's old wiring, noting that this may be a greater future benefit than what we're anticipating now. Commissioner Ogle noted that people do have a choice as to whether or not to install them. Commissioner Christoffersen reminded the members that when a permit is pulled for a one or two family dwelling, they must choose to use either the NEC or the IRC and cannot pick and choose between sections. He was concerned that the code would not be applied correctly. A further discussion of the reliability of AFCI technology as it now stands and the cost of AFCIs as opposed to standard breakers was held.

Chairman Hannum called for a vote on the motion to approve LSA Document #09-140 as published. The motion was rejected by a vote of four to five votes. Commissioner Corey and Commissioner Brenner both felt that deleted items (a) (Section 210.8(B)(5)), (c) (Section 406.8(B)(1)), and (e) (Section 422.52) as listed on the staff memo should be reinserted. Commissioner Hawkins offered to contact manufacturers who are the main suppliers and would have the numbers needed for the GFCI cost impact for the drinking fountain issue. Commissioner Brenner made the motion to approve LSA Document #09-140 as published as amended by the reinsertion of Section 210.8(B)(5), Section 406.8(B)(1), and Section 422.52. Commissioner Ridley made the second. It was voted upon and carried.

9. **Discussion of appeal for Residences of Merrillville Lakes, Denial of Variance 09-05-9.**

The Commission had denied a variance request to remove standpipes due to lack of written verification of the proponent's claim that the fire department would not use them but fight the fire from a tower instead. Commissioner Jones had the opportunity to speak with the local fire inspector and found the fire department would use the tower instead of standpipes. The building is also only 4 inches over the height that requires standpipes to be installed. Commissioner Jones moved to rescind the original action and moved to approve variance 09-05-9. Commissioner Ridley made the second. It was voted upon and carried.

10. **ASHRA 90.1**

Mara Snyder, Director of Legal and Code Services, had distributed a very preliminary draft of amendments to ASHRA 90.1, 2007 edition, to the members of the Commission. Two open meetings will be held to gather

information which will then be summarized and given to the Commission at the August meeting. The members will then decide what they wish to be in the proposed rule document. The tentative schedule is for a public hearing to be held in October, Commission final action in November, and it's then sent to the Governor's office in January. Information for the fiscal impact study is still needed to determine the projected cost.

11. **Comments**

Mara Snyder, Director of Legal and Code Services, advised the Commission that she will be putting the Amusement Code items they had previously approved for removal in the Energy code to get it done. There will be a June 22, 2009 public hearing on the Building and Fire Code chase amendments. There are two interviewees for the Code Specialist positions undergoing background checks who should soon be joining staff.

12. **Adjournment.**

Chairman Hannum called for any additional business. There being none, he then adjourned the meeting at 2:55 p.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman