BUILDING

For the June 2024 Meeting.

## **MEETING DETAILS**

**Date**: June 4, 2024 **Time**: 9:00 AM

Location: Government Center South - Conference Room B

#### **Member Attendance**

| Name             | Present     |    | Means of Participation      |
|------------------|-------------|----|-----------------------------|
|                  | Yes         | No |                             |
| 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                   |
| Scott Pannicke   | $\boxtimes$ |    | In Person                   |
| Michael Patarino |             |    | In Person                   |
| Michael Popich   | $\boxtimes$ |    | Electronic Means (MS Teams) |
| David Porter     | $\boxtimes$ |    | Electronic Means (MS Teams) |
| Lane Slaughter   |             |    | N/A                         |
| Kenneth Wagner   | $\boxtimes$ |    | In Person                   |
| Michael Zehner   | $\boxtimes$ |    | In Person                   |

- 1. Introduction of New Commissioners Lane Slaughter
- 2. Review of May 2024 Minutes

| Motion: Approve.    |             |    |
|---------------------|-------------|----|
| Name                | Vote        |    |
|                     | Yes         | No |
| Logan Cook          | $\boxtimes$ |    |
| John Crisp          | $\boxtimes$ |    |
| Harold Davidson (A) |             |    |
| Todd Hite           | $\boxtimes$ |    |
| James Murua         | $\boxtimes$ |    |
| Scott Pannicke (A)  |             |    |
| Michael Patarino    | $\boxtimes$ |    |
| Michael Popich      | $\boxtimes$ |    |
| David Porter        | $\boxtimes$ |    |
| Lane Slaughter      |             |    |
| Kenneth Wagner      | $\boxtimes$ |    |
| Michael Zehner      | $\boxtimes$ |    |

## 3. IDHS Reports and Updates

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

# 4. State Building Commissioner Interpretations

i. None

## 5. Rulemaking Updates

- i. Electrical Code Update Committee
- ii. Building Code Update Committee
- iii. Fire Code Update Committee
- iv. Lift Device Update Committee
- v. Rule Readoptions Various Title 675 Rules

| Motion: Approve. |             |    |
|------------------|-------------|----|
| Name             | Vote        | 9  |
|                  | Yes         | No |
| Logan Cook       | $\boxtimes$ |    |
| John Crisp       | $\boxtimes$ |    |

| Harold Davidson  | $\boxtimes$ |  |
|------------------|-------------|--|
| Todd Hite        |             |  |
| James Murua      | $\boxtimes$ |  |
| Scott Pannicke   |             |  |
| Michael Patarino |             |  |
| Michael Popich   |             |  |
| David Porter     | $\boxtimes$ |  |
| Lane Slaughter   |             |  |
| Kenneth Wagner   | $\boxtimes$ |  |
| Michael Zehner   |             |  |

vi. Fee Rule – SBA Review (June 11<sup>th</sup>)

## 6. Variances

#### a. Tabled

- i. **24-02-31 Selking International (Ft. Wayne) –** Tabled, no proponent.
- ii. 24-03-24 Downstairs Security Door (Evansville) Withdrawn.
- iii. **24-03-27 Point Biopharma (Indianapolis) –** Tabled, no proponent.

| Motion: Table.   |             |     |  |
|------------------|-------------|-----|--|
| Name             | Vo          | ote |  |
|                  | Yes         | No  |  |
| Logan Cook       | $\boxtimes$ |     |  |
| John Crisp       | $\boxtimes$ |     |  |
| Harold Davidson  | $\boxtimes$ |     |  |
| Todd Hite        | $\boxtimes$ |     |  |
| James Murua      | $\boxtimes$ |     |  |
| Scott Pannicke   | $\boxtimes$ |     |  |
| Michael Patarino | $\boxtimes$ |     |  |

| Michael Popich | $\boxtimes$ |  |
|----------------|-------------|--|
| David Porter   | $\boxtimes$ |  |
| Lane Slaughter |             |  |
| Kenneth Wagner | $\boxtimes$ |  |
| Michael Zehner | $\boxtimes$ |  |

iv. 24-03-38 Firebrand Ministries (Lynnville) – Chapter 34 completed, passed. Justin Guedel asked if a variance was necessary if a Chapter 34 was passed. CDR potentially necessary for exit lighting, change of use still needed. Commission noted that building should not be occupied until additional door is put in. Mr. Guedel informed the Commission that DHS has already been working with proponents to come up with a plan for occupancy. Commission rule that no variance was required after passing Chapter 34.

| Motion: NVR.     |             |      |  |
|------------------|-------------|------|--|
| Name             | Vo          | Vote |  |
|                  | Yes         | No   |  |
| Logan Cook       | $\boxtimes$ |      |  |
| John Crisp       | $\boxtimes$ |      |  |
| Harold Davidson  | $\boxtimes$ |      |  |
| Todd Hite        | $\boxtimes$ |      |  |
| James Murua      | $\boxtimes$ |      |  |
| Scott Pannicke   | $\boxtimes$ |      |  |
| Michael Patarino | $\boxtimes$ |      |  |
| Michael Popich   | $\boxtimes$ |      |  |
| David Porter     | $\boxtimes$ |      |  |
| Lane Slaughter   |             |      |  |
| Kenneth Wagner   | $\boxtimes$ |      |  |
| Michael Zehner   | $\boxtimes$ |      |  |

v. **24-03-39 Marvel Home (Fairmount) –** Tabled, no proponent.

| Motion: Tabled. |             |    |  |
|-----------------|-------------|----|--|
| Name            | Vote        |    |  |
|                 | Yes         | No |  |
| Logan Cook      |             |    |  |
| John Crisp      | $\boxtimes$ |    |  |
| Harold Davidson | ⊠           |    |  |

| Todd Hite        | $\boxtimes$ |  |
|------------------|-------------|--|
| James Murua      | $\boxtimes$ |  |
| Scott Pannicke   | $\boxtimes$ |  |
| Michael Patarino | $\boxtimes$ |  |
| Michael Popich   | $\boxtimes$ |  |
| David Porter     |             |  |
| Lane Slaughter   |             |  |
| Kenneth Wagner   | $\boxtimes$ |  |
| Michael Zehner   | $\boxtimes$ |  |

vi. 24-04-45 Phoenix Fort Wayne International Harvester (Fort Wayne) – Tabled, no proponent.

| Motion: Tabled.  |             |      |  |
|------------------|-------------|------|--|
| Name             | Vo          | Vote |  |
|                  | Yes         | No   |  |
| Logan Cook       | $\boxtimes$ |      |  |
| John Crisp       | $\boxtimes$ |      |  |
| Harold Davidson  | $\boxtimes$ |      |  |
| Todd Hite        | $\boxtimes$ |      |  |
| James Murua      | $\boxtimes$ |      |  |
| Scott Pannicke   | $\boxtimes$ |      |  |
| Michael Patarino | $\boxtimes$ |      |  |
| Michael Popich   | $\boxtimes$ |      |  |
| David Porter     | $\boxtimes$ |      |  |
| Lane Slaughter   |             |      |  |
| Kenneth Wagner   | $\boxtimes$ |      |  |
| Michael Zehner   | $\boxtimes$ |      |  |

vii. **24-04-52 Tent (Greenwood) –** Tabled, no proponent.

| Motion: Table. |             |    |  |
|----------------|-------------|----|--|
| Name           | Vote        |    |  |
|                | Yes         | No |  |
| Logan Cook     | $\boxtimes$ |    |  |
| John Crisp     | $\boxtimes$ |    |  |

| Harold Davidson  |             |  |
|------------------|-------------|--|
| Todd Hite        | $\boxtimes$ |  |
| James Murua      | $\boxtimes$ |  |
| Scott Pannicke   | $\boxtimes$ |  |
| Michael Patarino | $\boxtimes$ |  |
| Michael Popich   | $\boxtimes$ |  |
| David Porter     | $\boxtimes$ |  |
| Lane Slaughter   |             |  |
| Kenneth Wagner   | $\boxtimes$ |  |
| Michael Zehner   | $\boxtimes$ |  |

viii. **24-04-53(a)(b) Plants Plus Addition (Indianapolis) –** Ed Rensink. Potting operation with greenhouses. Proponent agreed to a stipulation that no vehicles over 10,000 pounds will be stored in the garages. Commissioner Crisp did not voice a response, no vote recorded.

Motion: Approve with conditions: No vehicles will exceed commercial vehicle classification for the duration of the occupancy unless the code changes to allow it.

| Name             | Vote        |    |
|------------------|-------------|----|
|                  | Yes         | No |
| Logan Cook       | $\boxtimes$ |    |
| John Crisp       |             |    |
| Harold Davidson  | $\boxtimes$ |    |
| Todd Hite        | $\boxtimes$ |    |
| James Murua      | $\boxtimes$ |    |
| Scott Pannicke   | $\boxtimes$ |    |
| Michael Patarino | $\boxtimes$ |    |
| Michael Popich   | $\boxtimes$ |    |
| David Porter     | $\boxtimes$ |    |
| Lane Slaughter   |             |    |
| Kenneth Wagner   | $\boxtimes$ |    |
| Michael Zehner   | $\boxtimes$ |    |

ix. 24-04-56 Indian Trail Furniture (Howe) – Tim Howe. Mezzanine removed. Commissioner Pannicke wanted to know if water supply was available in the area. Staff noted that the removal of the mezzanine removes issues that they had, so would have approved absent the mezzanine.

| Motion: Approve with conditions: No mezzanine. |             |    |
|--|-------------|----|
| Name   | Vote        |    |
|  | Yes         | No |
| Logan Cook                                     | $\boxtimes$ |    |
| John Crisp                                     | $\boxtimes$ |    |
| Harold Davidson                                | $\boxtimes$ |    |
| Todd Hite                                      | $\boxtimes$ |    |
| James Murua                                    | $\boxtimes$ |    |
| Scott Pannicke                                 | $\boxtimes$ |    |
| Michael Patarino                               | $\boxtimes$ |    |
| Michael Popich                                 | $\boxtimes$ |    |
| David Porter                                   | $\boxtimes$ |    |
| Lane Slaughter                                 |             |    |
| Kenneth Wagner                                 | $\boxtimes$ |    |
| Michael Zehner                                 | $\boxtimes$ |    |

Commission broke from 9:55 to 10:00am.

#### b. New

i. **24-05-37(a)(b) YMCA of Muncie** – New Downtown YMCA (Muncie) – Addition to previous variance, 23-12-40, no sprinkler system over swimming pool, whirpool, seating and deck areas. One-hour wall required between seating/pool area and rest of the building. Ran into issue with opening protection, fire rated assembly that would be compatible with a pool environment unavailable. Variance application inconsistent with itself and with prior approval of variances. Conditions note that it won't be sprinklered, facts say won't be sprinklered in seating area. Variance A withdrawn. Variance B tabled while he works with staff to reword.

| Motion: B Tabled. |             |    |
|-------------------|-------------|----|
| Name              | Vote        | e  |
|                   | Yes         | No |
| Logan Cook        | $\boxtimes$ |    |
| John Crisp        | $\boxtimes$ |    |

| Harold Davidson  | $\boxtimes$ |  |
|------------------|-------------|--|
| Todd Hite        | $\boxtimes$ |  |
| James Murua      |             |  |
| Scott Pannicke   | $\boxtimes$ |  |
| Michael Patarino | $\boxtimes$ |  |
| Michael Popich   | $\boxtimes$ |  |
| David Porter     | $\boxtimes$ |  |
| Lane Slaughter   |             |  |
| Kenneth Wagner   | $\boxtimes$ |  |
| Michael Zehner   | $\boxtimes$ |  |

ii. **24-05-38 Seeds of Hope (MAGFC) Building 3 (Indianapolis) –** Code requires concealed spaces with combustible construction to be sprinkled. Asking to not sprinkle such spaces. Proponent was told that dry pipe system would be required. Commission disagrees.

| <b>Motion: Approve with condition:</b> |             |     |  |
|--|-------------|-----|--|
| Only the non-tempered mansard          |             |     |  |
| attic areas will not be                | sprinklere  | ed. |  |
| Name                                   | Vame Vote   |     |  |
|  | Yes         | No  |  |
| Logan Cook                             | $\boxtimes$ |     |  |
| John Crisp                             |             |     |  |
| Harold Davidson                        | ⊠           |     |  |
| Todd Hite                              |             |     |  |
| James Murua                            | $\boxtimes$ |     |  |
| Scott Pannicke                         | $\boxtimes$ |     |  |
| Michael Patarino                       | $\boxtimes$ |     |  |
| Michael Popich                         | $\boxtimes$ |     |  |
| David Porter                           | $\boxtimes$ |     |  |
| Lane Slaughter                         |             |     |  |
| Kenneth Wagner                         | $\boxtimes$ |     |  |
| Michael Zehner                         |             |     |  |

24-05-39 and 24-05-40 Allen County Highway Dept North and South Facility (Fort Wayne)
New storage building to store highway trucks. Type 2B construction. Rural site, no water supply available.

| Motion: Deny 39. |             |      |  |
|------------------|-------------|------|--|
| Name             | Vo          | Vote |  |
|                  | Yes         | No   |  |
| Logan Cook       | $\boxtimes$ |      |  |
| John Crisp       | $\boxtimes$ |      |  |
| Harold Davidson  | $\boxtimes$ |      |  |
| Todd Hite        | $\boxtimes$ |      |  |
| James Murua      | $\boxtimes$ |      |  |
| Scott Pannicke   | $\boxtimes$ |      |  |
| Michael Patarino | $\boxtimes$ |      |  |
| Michael Popich   | $\boxtimes$ |      |  |
| David Porter     | $\boxtimes$ |      |  |
| Lane Slaughter   |             |      |  |
| Kenneth Wagner   | $\boxtimes$ |      |  |
| Michael Zehner   | $\boxtimes$ |      |  |

| Motion: Approve with condition: |             |      |  |
|---------------------------------|-------------|------|--|
| Deny 40.                        |             |      |  |
| Name                            | Vo          | Vote |  |
|                                 | Yes         | No   |  |
| Logan Cook                      | $\boxtimes$ |      |  |
| John Crisp                      | $\boxtimes$ |      |  |
| Harold Davidson                 | $\boxtimes$ |      |  |
| Todd Hite                       |             |      |  |
| James Murua                     | $\boxtimes$ |      |  |
| Scott Pannicke                  | $\boxtimes$ |      |  |
| Michael Patarino                | $\boxtimes$ |      |  |
| Michael Popich                  | $\boxtimes$ |      |  |
| David Porter                    | $\boxtimes$ |      |  |
| Lane Slaughter                  |             |      |  |
| Kenneth Wagner                  | $\boxtimes$ |      |  |
| Michael Zehner                  | $\boxtimes$ |      |  |

iv. **24-05-41 Krannert Family Center (Indianapolis) –** Wayne Township FD unopposed, referred to Dept of Health. City park center. Vice-Chairman Popich Recused.

| <b>Motion:</b> | Approve. |
|----------------|----------|

| Name               | Vo          | Vote |  |
|--------------------|-------------|------|--|
|                    | Yes         | No   |  |
| Logan Cook         | $\boxtimes$ |      |  |
| John Crisp         | $\boxtimes$ |      |  |
| Harold Davidson    | $\boxtimes$ |      |  |
| Todd Hite          | $\boxtimes$ |      |  |
| James Murua        | $\boxtimes$ |      |  |
| Scott Pannicke     | $\boxtimes$ |      |  |
| Michael Patarino   | $\boxtimes$ |      |  |
| Michael Popich (R) |             |      |  |
| David Porter       | $\boxtimes$ |      |  |
| Lane Slaughter     |             |      |  |
| Kenneth Wagner     | $\boxtimes$ |      |  |
| Michael Zehner     | $\boxtimes$ |      |  |

v. **24-05-42 Rockport Inn (Rockport) –** Wanting some rooms in an R-1 occupancy to be occupied for more than 30 days. Previous similar variances have been denied. Approved based on R-3 occupancy and Chapter 34 scoring.

| Motion: Approve. |             |    |
|------------------|-------------|----|
| Name             | Vote        |    |
|                  | Yes         | No |
| Logan Cook       | $\boxtimes$ |    |
| John Crisp       | $\boxtimes$ |    |
| Harold Davidson  | $\boxtimes$ |    |
| Todd Hite        | $\boxtimes$ |    |
| James Murua      | $\boxtimes$ |    |
| Scott Pannicke   | $\boxtimes$ |    |
| Michael Patarino | $\boxtimes$ |    |
| Michael Popich   | $\boxtimes$ |    |
| David Porter     | $\boxtimes$ |    |
| Lane Slaughter   |             |    |
| Kenneth Wagner   |             |    |

| Michael Zehner | $\boxtimes$ |  |
|----------------|-------------|--|

vi. **24-05-43(a)(b) Perry Central Community School Corp Daycare (Leopold) –** Representative from the school system present. Asking not to have a fire suppression system, room to not have two exits. Minimum of two staff per room, more staff in rooms with progressively younger age cohorts. Commissioner Pannicke proposed exterior exit door in infant room, connecting doors in other rooms, no sprinklers.

| <b>Motion: Approve with</b>       |             |    |  |
|-----------------------------------|-------------|----|--|
| conditions: Exterior exit door in |             |    |  |
| infant room, connectir            | ng doors i  | n  |  |
| other rooms.                      |             |    |  |
| Name                              | Vote        | 9  |  |
|                                   | Yes         | No |  |
| Logan Cook                        |             |    |  |
| John Crisp                        | $\boxtimes$ |    |  |
| Harold Davidson                   | $\boxtimes$ |    |  |
| Todd Hite                         | $\boxtimes$ |    |  |
| James Murua                       | $\boxtimes$ |    |  |
| Scott Pannicke                    |             |    |  |
| Michael Patarino                  | $\boxtimes$ |    |  |
| Michael Popich                    |             |    |  |
| David Porter                      | $\boxtimes$ |    |  |

| Lane Slaughter |             |  |
|----------------|-------------|--|
| Kenneth Wagner | $\boxtimes$ |  |
| Michael Zehner | $\boxtimes$ |  |

vii. **24-05-44(a)(b)(c) North American Cold Storage (Woodburn) –** Commissioner Davidson recused. No sprinklers, fire alarm provided. No rooftop vents for freezer storage area. Reconfigure egress doors to be not 100 feet on center, as required in non-sprinklered area. Christina Collester informed Commission that sprinklers in -20F environments cause issues.

| Motion: Approve. |             |    |
|------------------|-------------|----|
| Name             | Vote        |    |
|                  | Yes         | No |
| Logan Cook       |             |    |
| John Crisp       |             |    |
| Harold Davidson  |             |    |
| (R)              |             |    |
| Todd Hite        |             |    |
| James Murua      |             |    |
| Scott Pannicke   |             |    |
| Michael Patarino |             |    |
| Michael Popich   | $\boxtimes$ |    |

| David Porter   | $\boxtimes$ |  |
|----------------|-------------|--|
| Lane Slaughter |             |  |
| Kenneth Wagner | $\boxtimes$ |  |
| Michael Zehner | $\boxtimes$ |  |

viii. **24-05-45 RHIT Residence Hall (Terre Haute) –** Air ducts to dorm rooms run through wall cavities to first and second floor. Ducts that connect to third and fourth floor enclosed in two-hour rated shafts.

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

## 7. Industrialized Building Systems Applications and Renewals

i. ICC NTA LLC - DHS has no objections.

| Motion: Approve. |             |    |
|------------------|-------------|----|
| Name             | Vot         | e  |
|                  | Yes         | No |
| Logan Cook       | $\boxtimes$ |    |
| John Crisp       | $\boxtimes$ |    |
| Harold Davidson  | $\boxtimes$ |    |
| Todd Hite        | $\boxtimes$ |    |
| James Murua      | $\boxtimes$ |    |
| Scott Pannicke   | $\boxtimes$ |    |
| Michael Patarino | $\boxtimes$ |    |
| Michael Popich   | $\boxtimes$ |    |
| David Porter     | $\boxtimes$ |    |
| Lane Slaughter   |             |    |
| Kenneth Wagner   | $\boxtimes$ |    |
| Michael Zehner   | $\boxtimes$ |    |

## 8. Report on Administrative Review

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

i. DHS-2311-002835 - Ronald Davidhizer v. City of Goshen

| Motion: Approve. |             |    |
|------------------|-------------|----|
| Name             | Vote        |    |
|                  | Yes         | No |
| Logan Cook       | $\boxtimes$ |    |
| John Crisp       | $\boxtimes$ |    |
| Harold Davidson  | ×           |    |

| Todd Hite        | $\boxtimes$ |  |
|------------------|-------------|--|
| James Murua      | $\boxtimes$ |  |
| Scott Pannicke   | $\boxtimes$ |  |
| Michael Patarino | $\boxtimes$ |  |
| Michael Popich   | $\boxtimes$ |  |
| David Porter     | $\boxtimes$ |  |
| Lane Slaughter   |             |  |
| Kenneth Wagner   | $\boxtimes$ |  |
| Michael Zehner   | $\boxtimes$ |  |

- ii. DHS-2312-003133 LaPorte County v. IDHS (Objection period runs through June 5, no action necessary at this time, DHS filed objection.)
- b. New Cases Monitoring Only
  - i. DHS-2405-001267 Grateful Care v. White River Township Fire Dept.
- c. Ongoing Cases
  - i. DHS-2402-000396 Knight's Inn v. Seymour Fire
  - ii. DHS-2404-000891 Somnath Hospitality v. City of Seymour
- d. New Filings Commission Review / Action Needed
  - i. None
- e. OALP Final Orders No action required.
  - i. DHS-2307-002000 Scannell Properties v. City of Bloomington

## 9. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Tuesday, July 2, 2024 at 9:00pm**. 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