

FIRE PREVENTION & BUILDING SAFETY COMMISSION

MEETING MINUTES

For the November 2024 Meeting.

MEETING DETAILS

Date:November 7, 2024Time:9:00 AMLocation:Government Center South – Conference Room B

Member Attendance

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

- 1. Call to Order
- 2. Roll Call
- 3. Review of October 2024 Minutes
- 4. IDHS Reports and Updates
 - i. IDHS Variance Determinations Report as required by 675 IAC 12-5-6.2(f)
- 5. Proposed 2025 Meeting Schedule
 - i. Tuesday, January 7, 2025
 - ii. Tuesday, February 4, 2025
 - iii. Tuesday, March 4, 2025
 - iv. Tuesday, April 1, 2025
 - v. Tuesday, May 6, 2025
 - vi. Tuesday, June 3, 2025
 - vii. Tuesday, July 1, 2025
 - viii. Tuesday, August 5, 2025
 - ix. Wednesday, September 3, 2025 (Monday, September 1 is Labor Day)
 - x. Tuesday, October 7, 2025
 - xi. Thursday, November 6, 2025
 - xii. Tuesday, December 2, 2025

Vote: Adopt	Present	
meeting dates	Yes	No
as proposed.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	

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

6. Rulemaking Updates

- i. Electrical Code Update Committee
- ii. Building Code Update Committee
- iii. Fire Code Update Committee
- iv. Lift Device Update Committee
- v. Vote for Plumbing Code Update Kaitlin O'Neil presented for DHS. Need to amend to maintain federal compliance. Reduces lead quantity for lead-free from 8% in water pipes and fittings to not allow drinking water pipes to have more than .25% lead. IDEM will lose potential funding if Indiana doesn't come into compliance, more than \$2M. Mr. Popich asked about language, Mr. Burgauer explained that the 2015 and later ICC language was used but had to be molded to the 2006 current code. Noted a typo in proposed rule change. Definition 25, "Townhouse," conflicts with statute. Defined in IC 22-12-1-5. Mr. Burgauer notes that changing a definition in rule does not meet the emergency requirement, especially when statute already overrides it.

Motion: Move	Vote	
forward with the	Yes	No
rulemaking		
process.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		

Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

7. Variances

- a. Tabled
 - i. **24-07-37 The Franciscan Center (Fort Wayne) –** Agreed to install fire alarm and sprinkler system. Extend deadline for 3 years.

Vote: Yes to	Vote: Yes to Present	
extend deadline	Yes	No
for 3 year.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

ii. 24-08-29 Al-Haqq Foundation Monitored Fire Alarm (Indianapolis) - No proponent.

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

iii. **24-08-37 Four Corners Winery (Valparaiso) –** Existing barn structured converted to assembly and brewery. Sprinkler required due to size. Needs to do a Chapter 34 before Commission can make a decision. Structural engineer's report already done.

Vote: Table	Present	
pending chapter	Yes	No
34 analysis.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

- iv. 24-09-39 Nucor Towers and Structures (Crawfordsville) H occupancy, 2B construction. Requesting two variances: automatic fire protection system solution, egress requirements. DFBS not updated with current information. Statute requires that it be in DFBS for five days for LFO/LBO/Public review. Withdrawn. Proponent will refile with updated information for potentially quicker resolution.
- v. **24-09-40 Ohio County Holding Addition and Renovation (Rising Sun) –** No proponent.

Motion: Table.	Present	
	Yes	No
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	

David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

vi. **24-09-45 & 46 Fire Inspection (Kokomo)** – Mr. Burgauer talked to FSSA. Ministry and Center. Willing to grant time-limited variance for two years to come into compliance with code due to miscommunication with DHS/FSSA in terms of inspection and regulatory framework.

Motion:	Vote	;
Variance expires	Yes	No
December 31,		
2026.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

vii. **24-09-47 The Union at Fishers (Fishers) –** Ed Rensink. Received call from fire official with concerns. Exhibits were unclear. LFO notes that major concerns addressed, unwilling to make further comment.

Motion:	Vote	
Approve.	Yes	No

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

viii. **24-09-41 Event Barn Change of Use and Addition (Depauw) –** Proponent presented updated numbers and information for commission consideration.

Motion: Posted	Vote	
occupant load 99	Yes	No
for the building		
and NFPA 72		
compliant fire		
alarm, shunt trip.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

- b. New
 - i. **24-10-32 Central Ministries East Addition (Fort Wayne) –** Building exceeds permitted area. Asking to not include fire separation. Sprinkling only addition and vestibule. Sunday school classroom.

Motion: Close-	Vote	
spaced sprinklers	Yes	No
along wall		
between existing		
vestibule and		
rest of building.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua		
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

ii. **24-10-42 Sunflower Hills Historic Barn Venue (Bryant) –** A2 occupancy. Over 100 occupant load. Requesting to not provide fire suppression system. Melissa Tupper. Dismantling and reassembling two barns from 1911. 5B construction, one story, 5200 square feet. Fire alarm, smoke and heat detection throughout. Shunt trip. Maximum travel distance 79 feet, code permits 200. Five exits to exterior from main event room. Clear exit width accommodates 960 occupants. No open flames, UL listed commercial grade decorative lighting. Rural area, no three-phase voltage available for fire pump even if water were available.

Motion:	Vote	
Approve.	Yes	No
Craig Burgess		
Logan Cook	\boxtimes	

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

iii. **24-10-43 Special Knowledge Devices Valley Grove Elementary (Anderson) –** Specialized security devices for door barring in school with special needs students. DHS has concerns about operation of device, which currently violates building code due to special knowledge required and operation type.

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

iv. **24-10-44 Hebron Dollar General (Hebron) –** Problems getting fire department access near building.

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

v. **24-10-45 Stove (Michigan City) –** Asking not to put in a type one hood in warming kitchen. No proponent.

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

Kenneth Wagner	\boxtimes	
Michael Zehner		

vi. **24-10-46 Messiah's New Life Tabernacle Addition (Avilla)** – Asking not to provide sprinkler. Derek Holman. Asking to install fire alarm system in lieu. Rural area, no water.

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

vii. **24-10-47 Storage Hoop Barn (Logansport) –** Shipping containers used in alternative construction connected via membrane for roof. Temporary storage for winterizing equipment. Only used for storage, no electric or heat. Commissioner Cook asked if engineering support documents were available, could not find on manufacturer's website. Tabled while proponent seeks engineering information.

Motion: Table.	Vote	
	Yes	No
Craig Burgess		
Logan Cook	X	

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

viii. **24-10-48 2430 Northview Ave (Indianapolis) –** Residential building. Requesting alternative interior walls, LBO opposed.

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

ix. 24-10-49 Medical Office (Indianapolis) – Dan Kaiser, Cornerstone Design. Existing building that owner is dividing into multiple tenants. Two exits required for calculated occupant load, but actual occupant load lower due to nature of business. Building is sprinklered and has fire alarm. IFD opposes based on travel distance and square footage based on possibility that design could be reformatted to allow proper exiting. Tabled while

negotiations with IFD continue.

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

x. **24-10-51(a)(b) Blain Reed Home (Carmel)** – Guards are required to be four inches on center. Asking for variance for guard width and riser height. Commission expressed concern that the variance seems to be largely about money. Carmel is neutral.

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

Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		

xi. **24-10-52 Purdue Herrick Labs – Hydrogen Trailer (West Lafayette) –** Locate a hydrogen trailer north of testing labs. Current code requires NFPA 35 2010. Road to the east, north another road, west is parking lot that cannot afford loss of spaces. Asking to follow newer version of code that allows for different clearance requirements. Asking to comply with 2023 edition of NFPA for clearance requirements.

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

xii. 24-10-53 Wings and Swings (Vincennes) – A2 asking not to provide sprinkler system in A2. Under 5k square feet for the building, 4-5 simulators and axe throwing area. Large, open areas in building not usable for tables and chairs. Owner installed alarm system, more exits than required, LFO and LBO do not oppose. Voluntarily capped at 99 occupants. Sprinkler quoted at \$95,470.

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

xiii. **24-10-54 & 60 – Lighthouse Autism Center LaPorte Renovation (LaPorte) –** Requesting I4 not to have bathtub or shower. No overnight occupancies, maximum 8 hours a day.

Motion:	Vote	
Approve based	Yes	No
on 8-hour		
maximum		
timeframe.		
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	

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

xiv. **24-10-55 & 61 -- Franciscan Health Munster Vertical Exp Fit Up (Munster) –** Asking to design to A instead of B for seismic construction. Commissioner Popich asked why they were asking for an A instead of designing to a C, which is typical for emergency structures.

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

Kenneth Wagner	\boxtimes	
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. None
- b. New Cases Monitoring Only
 - i. DHS-2024-
- c. Ongoing Cases
 - i. DHS-2307-002000 Scannell Properties v. City of Bloomington
 - ii. DHS-2312-003133 LaPorte County v. IDHS
 - iii. DHS-2402-000396 Knight's Inn v. Seymour Fire
 - iv. 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. None.

10. Other Commission Business

i. Harmony Home and Place of Grace – Stayed until final judgment.

Vote: Stay until	Present	
final judgment.	Yes	No
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua	\boxtimes	
Michael Patarino	\boxtimes	
Michael Popich	\boxtimes	
David Porter		
Lane Slaughter		
Kenneth Wagner	\boxtimes	
Michael Zehner		
Vote: Stay until	Prese	nt
final judgment.	Yes	No
Craig Burgess		
Logan Cook	\boxtimes	
John Crisp	\boxtimes	
Harold Davidson	\boxtimes	
Todd Hite		
James Murua		

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

11. Next Meeting

The next meeting of the Indiana Fire Prevention and Building Safety Commission shall take place on **Tuesday, December 3, 2024 at 9:00am**. The meeting will be held in the **Indiana Government Center South** in **Conference Room B**. The meeting will also be streamed live via Microsoft Teams.

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

12. Adjournment