

COMMISSION MEETING MINUTES

**Indiana Fire Prevention and
Building Safety Commission**

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

November 7, 2007

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:01 a.m. November 7, 2007.

- (a) Commissioners were present at the Commission meeting:

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

Commissioners not present at the Commission meeting:

Kevin Goeden, representing the Commissioner, Department of Labor
Jay Gore
James Ridley

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

Agency Support Services, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
John Haines, Code Specialist
John Hibner, Code Specialist
Raleigh Kouns, Code Specialist
Bob Robinson, Code Specialist
Beth Sutor, Secretary

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the October 2, 2007 meeting as distributed. Commissioner Hawkins noted a name correction on page three, item twenty-four, and the use of "staff" instead of "committee" on page eleven, heading nine. A motion to approve the minutes as amended was made by Commissioner Ogle and seconded by Commissioner Cundiff. It was voted upon and carried.

3. **Third Party Certification and Inspection**

Don LeBrun, Supervisor, Fire and Building Code Enforcement, introduced the application for Radco, Long Beach, California, Professional Services Industries, Oakbrook Terrace, Illinois, and PFS Corporation, Madison, Wisconsin, and recommended their approval for one year. Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

4. **Ordinances.**

Don LeBrun, Supervisor, Fire and Building Code Enforcement, introduced the Building Code Ordinance No. 2007-15 of Goodland, Indiana for consideration, recommending approval. Commissioner Jones moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

5. **Variations.**

Tabled Variations.

Variance 07-10-2, BSF Diversified products Airwest II, Plainfield, was not represented. Commissioner Hawkins moved to deny. Commissioner Cundiff made the second. It was voted upon and carried. Variance 07-10-3, Rush County Courthouse Elevator, Rushville, had been withdrawn by the proponent. Variance 07-10-4, Old National Insurance Group Sprinkler Head Removal, Ft. Wayne, was tabled at the request of the proponent. Commissioner Christoffersen moved to table with the second by Commissioner Jones. It was voted upon and carried. Variance 07-10-5, Abbey Road Clubhouse, Indianapolis, had a letter from the owner submitted to the Commission providing requested information on the grounding rods. Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance 07-10-23, The Hearth at Stones Crossing, Greenwood, was represented by Barbara Bridges, Assistant Director. The request was to allow coded locks on the doors for the memory care unit of the facility. These would fail open at loss of power or alarms, and visitors would be instructed in the operation of the locks. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance 07-10-29(c) Greenfield Central High School Additions and Renovations, Greenfield, was represented by Ed Rensink, RTM Consultants. The request concerned an exit which would be closed during construction, affecting eight classrooms. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 07-10-43(e), Roncalli High School, Indianapolis, was represented by Ed Rensink, RTM Consultants, who made the presentation for Timothy Callas of J & T Consulting. He presented photographs showing the size, placement and amount of shrubbery and trees involved in the variance application. Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance 07-10-43(f) had been withdrawn by the proponent.

Regular Variations.

No variations were called out for individual consideration. Commissioner Hawkins abstained from voting on Variance 07-11-13, Brownstown Elementary, Brownstown. Commissioner Christoffersen made the motion to approve the following variations with an "A" or "B" review rating by staff with the second being made by Commissioner Jones. It was voted upon and carried.

The following variations were approved as submitted:

- (1) 07-11-1 Mounds State Park Pool Renovation, Anderson
- (2) 07-11-2 Gibson County Coal Bathhouse, Princeton
- (3) 07-11-3 Sahm's Restaurant and Bar, Fishers
- (4) 07-11-6 Wal-Mart Store #1667, Wabash
- (5) 07-11-7 Renaissance Indianapolis North Hotel, Carmel
- (6) 07-11-8 St. Vincent Medical Center Northeast, Fishers

- (7) 07-11-9 Internal Medicine Association Professional Office Building, Bloomington
- (8) 07-11-10 Sycamore village, Ft. Wayne
- (9) 07-11-12(b) River Road 2, Indianapolis
- (10) 07-11-15 ASRS – Fastenal Distribution Center, Indianapolis
- (11) 07-11-16 New Union Business Center, South Bend
- (12) 07-11-17 Wal-Mart Store #4417, Camby
- (13) 07-11-18 Lexington at Meridian Renovation, Indianapolis
- (14) 07-11-21 Boardwalk Apartments, West Lafayette
- (15) 07-11-22(b) Hoosier Park at Anderson Renovation and Expansion, Anderson
- (16) 07-11-25(a)(b)(d) Gibson Southern High School, Ft. Branch
- (17) 07-11-26(a) Mt. Vernon High School Addition and Renovation, Fortville
- (18) 07-11-30 St. Elizabeth Hospital East, Lafayette
- (19) 07-11-31 Lodge at Trail’s Edge Community Building Remodel, Indianapolis
- (20) 07-11-33(b)(c) Brownsburg Independent and Assisted Living Facility, Brownsburg
- (21) 07-11-36(a)(b) Riley Hospital for Children Phase V Addition, Indianapolis
- (22) 07-11-41(a)(b)(d) Ball State University DeHority Complex Renovation, Muncie

The following variances were heard separately:

- (23) 07-11-4 God’s House, Lafayette

Ed Underwood, Pastor, spoke as proponent. The request was for a one year extension to the variance they had received previously on their building. They are in the process of moving from their current building, but fear the move will not be completed before the variance expires. After discussion, Commissioner Cundiff moved to approve for one year with the second by Commissioner Jones. The variance was for God’s House only. None of the other mall tenants were to be affected. It was voted upon and carried.

- (24) 07-11-5 Clear Lake Marina Storage Barn, Fremont

David Snapp, architect, and Jim Stanley, owner of the building, spoke as proponents. It was explained that after the owner had pulled his permits for a pole barn and when the inspector had come out to the completed building, he decided that the building would require a state release since it’s over 12,000 square feet. It would also require sprinklers, but no local water system is available to support it. The building had been designed to handle pontoon boat storage, and the suggested two-hour wall would be impractical. Mr. Stanley noted he has control of the boats which use his facility, stating that each must come through his service department for winterization and drainage of fluids before they are stored, thereby reducing the fire potential. After discussion, Commissioner Hawkins moved to approve with the condition that all boat storage shall comply with the provisions of Section 313 of the 2003 Indiana Fire Code. Commissioner Christoffersen made the second. It was voted upon and carried.

- (25) 07-11-11 Churchman Woods Senior Apartments, Beech Grove

Dick Simonson, Heartland Properties, spoke as proponent. The 90-unit building was built in 1995 with the smoke alarms located in the hallways outside the bedroom doors. They are to have them both inside the bedrooms and outside the doorways, and there are 146 bedrooms to be corrected. Extra sprinklers were not thought to be a sufficient alternative, and, after discussion, Commissioner Christoffersen moved to deny. Commissioner Cundiff made the second. It was voted upon and carried with two nay votes cast.

- (26) 07-11-12(a)(c) River Road 2, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow pipe penetrations. The building is fully sprinklered, and a through penetration fire stop will be used. Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (c) was withdrawn by the proponent.

- (27) 07-11-13(a)(b) Brownstown Elementary, Brownstown

Hal Kovert, architect, spoke as proponent. The request was to allow an open concept floor plan to have permanent partitions installed though the building is not sprinklered. The main part of the building has laminated wood structures, not steel. Partitions and doors would be rated. There are central returns at each of the four clusters the partitions would create, but transfer grills would be needed which would make the hallways act as plenums. After discussion, Commissioner Brenner moved to approve both variances with the condition that the automatic shut-down of the HVAC shall be tied to both supply and return. Commissioner Cundiff made the second. It was voted upon and carried.

- (28) 07-11-14 Centurion Clinical Research Renovation, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit the use of one-hour rated corridors on the second and third floors. The drug research testing facility is staffed twenty-four hours a day. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

- (29) 07-11-19 Lake Pointe Center 5, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit stand-by power for the elevator in the six story building. The building is fully sprinklered, and the current ADAAG does not require stand-by power for elevators in a fully sprinklered building. The proponent assured the Commission there was battery power available to descend in the event of a power outage. After discussion, Commissioner Brenner moved to approve. The second was made by Commissioner Hawkins. It was voted upon and carried.

- (30) 07-11-20 St. Joseph Regional Medical Center MOB, Mishawaka

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the four-story medical office building attached to an eight-story hospital to not meet high rise building requirements. The office building is separated by a two-hour barrier and both buildings are sprinklered. Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (31) 07-11-22(a) Hoosier Park at Anderson Renovation and Expansion, Anderson

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow an existing building to have office and employee spaces created under the grandstand seating area without the code-required four-hour fire walls. The area would be protected by an NFPA 13 - compliant sprinkler system. A canopy of non-combustible materials will also be added to the front of the building and the sprinkler design density for the new rooms will be increased to Ordinary Hazard, Group 1. After discussion,

Commissioner Cundiff moved to approve based on the area under the grandstand seating was not to be used by the public. The second was made by Commissioner Hawkins. It was voted upon and carried.

- (32) 07-11-23(a)(b)(c) Lafayette Sunnyside Middle School Addition and Renovation, Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to exceed exiting travel distance during construction. A temporary corridor has been agreed to by the local fire department during the first phase of the construction. At the end of the 2008/2009 school year, the new addition and one wing of the existing building will be sprinklered. By the end of phase 2, the entire building will be sprinklered. Ron Ritchey, Lafayette Fire Department, requested a sprinkler curtain on the non-sprinklered side of the dividing wall. After discussion, Commissioner Cundiff moved to approve all three variances with the second by Commissioner Christoffersen. It was voted upon and carried.

- (33) 07-11-24 Hilton Garden Inn, Terre Haute

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The area for access to the hydraulic pump equipment does not comply with current code. The proponent had asked the men who would service the unit if they were able to complete their tasks, and they said there was sufficient room to maneuver. Commissioner Corey moved to approve based on the letter from the elevator techs. Commissioner Brenner made the second. It was voted upon and carried.

6. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:18 am. He then reconvened the meeting, calling it back to order at 10:30 am.

- (34) 07-11-25(c) Gibson Southern High School, Ft. Branch

Ed Rensink, RTM Consultants, spoke as proponent. He requested they be allowed to create a new temporary exit point during construction. This would involve partitioning off of some student areas, closing the discharge from the stairway, and the creation of an L-shaped corridor which will hold a pair of doors for exiting. The swing of the doors would be changed, and the area will be sprinklered. After discussion, Commissioner Cundiff moved to approve. Commissioner Ogle made the second. It was voted upon and carried.

- (35) 07-22-26(b)(c) Mt. Vernon High School Addition and Renovation, Fortville

Ed Rensink, RTM Consultants, and Desma Belsaas, architect, spoke as proponents. The request in (b) is to allow the occupancy of the additions, which will be sprinklered, before the project is complete and the sprinklers are all operational. After discussion of the timeline distributed to the Commission, Commissioner Hawkins moved to approve based on this timeline, with the second by Commissioner Jones. It was voted upon and carried. Variance (c) is to allow exiting to remain the same during construction instead of relocating students away from the area. When the existing gym north exit doors are closed for construction, the gym will be used for school day activities only, without spectators. After-hours events will take place in the auxiliary gym, and a temporary path of egress will be provided through the partially finished lobby space as soon as possible. Commissioner Christoffersen moved to approve with the condition that no construction equipment is to be in the path of egress. Commissioner Cundiff made the second. It was voted upon and carried.

- (36) 07-11-27 Kimbrough Building Renovation, Crown Point

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the use of Rule 13 for the remodel of an existing building by the Lake County Sherriff Department for offices. The proponent wished to amend the application since his research showed the building had been used for a nurse's dormitory and a work-release center, making the building ineligible for Rule 13. Don LeBrun, Fire and Building Code Enforcement, and Bonnie Robison, Plan Review, both spoke concerning the use of Rule 13. After discussion, Commissioner Brenner moved to approve with the condition of no storage in the attic and the basement was not to be open to the public. Commissioner Hawkins made the second. It was voted upon and carried.

- (37) 07-11-28 Ft. Wayne Country Club Grill Room Renovation, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. As part of the renovation of the Grill Room, the patio beneath the balcony will be enclosed for additional dining. The request is to omit the sprinkler system in this area. The enclosure will have two exits directly to the outside, and an additional exit from the existing dining area is being provided at the request of the local fire officials. After discussion and input by Jim Mura, Ft. Wayne Fire Department, Commissioner Hawkins moved to approve. The second was made by Commissioner Jones. It was voted upon and carried.

- (38) 07-11-29(a)(b) University of St. Francis North Campus, Ft. Wayne

This variance was withdrawn by the proponent prior to the scheduled meeting of the Commission.

- (39) 07-11-32 Trinity Baptist Church Addition, Westfield

Ed Rensink, RTM Consultants, spoke as proponent. This is to replace a previous variance granted with the use of one-hour rated, movable partitions. These rated partitions are not available, but partitions with retarded flame spread are available. A manual sprinkler system, as requested by the fire department, and smoke detectors throughout the new and existing building will be added. Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (40) 07-11-33(a) Brownsburg Independent and Assisted Living Facility, Brownsburg

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow the dayroom to be open to the corridor of this ambulatory care facility which is an I-1 occupancy. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (41) 07-11-34 K & M Holdings, Lebanon

Christina Collester, RTM Consultants, requested this be tabled for a period of one month. Commissioner Corey moved to table with the second by Commissioner Ogle. It was voted upon and carried.

- (42) 07-11-35 Community Hospital North, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request is to use the Life Safety Code to allow the penetration by two ducts of a stair enclosure created by additions and renovations. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (43) 07-11-37 St. Susanna Catholic Church Addition, Plainfield

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow the use of fire barriers instead of fire walls where an addition to the existing sanctuary will attach to the church office building and the rectory building. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (44) 07-11-38(a)(b) Trinity United Methodist Church Elevator, Seymour

Ed Rensink, RTM Consultants, spoke as proponent. The church is adding a small addition to the front of the building which will house a small elevator. The addition cannot be easily separated from the existing building, though the hoistway and machine room for the elevator will be separated by one-hour. After discussion, Commissioner Cundiff moved to approve both variances. Commissioner Ogle made the second. It was voted upon and carried.

7. **Breaking and reconvening.** Vice-Chairman Cundiff recessed the Commission at 11:40 am. He then reconvened the meeting, calling it back to order at 11:47 am.

- (45) 07-11-39 Park Meridian 3-Story Retail Building, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. An agreement with the City of Indianapolis had been reached which would have allowed the welding shut of the curb valve box to prevent tampering. This solution was then refused by the city. The request was to omit the electronic monitoring device at the street valve for the fire riser drain valve. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (46) 07-11-40 Park Meridian 2-Story Retail Building, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. This variance is identical to 07-11-39. Commissioner Christoffersen moved to approve, and Commissioner Corey made the second. It was voted upon and carried.

- (47) 07-11-41(c)(e) Ball State University DeHority Complex Renovation, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. Variance (c) was a request to allow the first floor mailroom to be open to the corridor which serves as egress to the dorm rooms. There will be no furniture or storage in the mailroom. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (e) is a request to use the corridor as relieve air from the dorm rooms and for exhaust make-up air for both bathrooms. The

building is sprinklered and fire/smoke dampers provided at the corridor transfer openings into the bathrooms will close at detection system activation. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

(48) 07-11-42 Swan Lake, Plymouth

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the dining area of the conference center to remain standing until March, 2008. The demolition of the area was to be done as a condition of the construction design release in 2001, but has not been carried out to date. Commissioner Ogle moved to approve. Commissioner Hawkins made the second. It was voted upon and carried.

(49) 07-11-43(a)(b)(c) Residence Hall Marian College, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow the piping and electrical through penetration of more than two floors. There will be fire stopping at the floors in the sprinklered building. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was withdrawn. Variance (c) is to omit elevator lobbies. This is a three story building, and 2003 IBC 707.14.1 is for five story residence buildings. These shafts will be separated by shaft enclosures per code, and the building will be fully sprinklered. Commissioner Hawkins moved that no variance was required. The second was made by Commissioner Cundiff. It was voted upon and carried.

(50) 07-11-44 Lyvers Auction, South Bend

Troy Lyvers, owner, spoke as proponent. The request is to omit the fire hydrant requirement. The building was built in 2005 and no comment about the distance of 470 feet to the nearest hydrant was made. The owner has added doors for fire department access to the interior. After discussion, Commissioner Cundiff moved to approve. Commissioner Hawkins made the second. It was voted upon and carried.

(51) 07-11-45 Praxair EBPVD Coater 4 Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to omit the elevator sump and drain. The variance was a late addition to the agenda and missed the review which would have made it eligible for the block vote. Commissioner Corey moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

8. **Discussion of Variance 06-11-32(a)(b)(c), Willow Springs, Indianapolis**

Mara Snyder, Director, Code and Legal Services, asked for clarification of the intention of the Commission when the variance was initially granted. Was it intended to be a variance for the entire project, or was it intended that each unit should be given a separate variance. Jon Issacs, Centex Homes, addressed the Commission, explaining why the variance had been sought to have the units considered townhomes. After discussion, the Commission stated the variance had been for the entire project, not an individual unit. There was one dissenting opinion.

9. **Pike Township Fire Department Request for Revocation of Variance 03-01-7, Tiffany Lawn and Garden, Indianapolis**

Pike Twp. Division Chief Steve Jones appeared before the Commission, seeking to have the variance for Tiffany Lawn and Garden revoked. His contention was that the company had not made good faith efforts to follow the requirements of the variance and that their actions had resulted in numerous fire runs. Cheryl Carlson, City of Indianapolis, also addressed the Commission, urging revocation. After discussion, Commissioner Christoffersen moved to revoke variance 03-01-7 for Tiffany Lawn and Garden, Indianapolis for violations of 675 IAC 12-5-9(c)(3) and (4). Commissioner Brenner made the second. It was voted upon and carried.

10. **New Business – General.**

Discussion and Possible Action

Subway Restaurant
Order – Allen County
Administrative Cause No. 07-25
Nonfinal Order of Dismissal

Carl Walker Parking
Order – Elevator and Amusement Safety
Administrative Cause No. 07-27
Nonfinal Order of Dismissal

Commissioner Christoffersen moved to approve the Nonfinal Orders of Dismissal. Commissioner Ogle made the second. It was voted upon and carried.

Jessop Amusements Inc.
Order – Elevator and amusement Safety
Administrative Cause No. 07-17
Final Order of the Fire Prevention and
Building Safety Commission

Commissioner Ogle moved to affirm the Final Order. Commissioner Cundiff made the second. It was voted upon and carried.

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

C.C.E. Incorporated
Order – Fire and Building Code Enforcement Division

Duke Energy Gallagher Station
Order – Division of Elevator Safety

First Advantage
Denial of Variance 07-10-21(a)(b)

LaPorte County Health Department
Outlook Cove CDR 328564

Indianapolis Airport Quick Turnaround Facility
Construction Design Release Classification

Steven Bailey
Construction Design Release 328977 Revocation

Commissioner Christoffersen moved to approve the petition for review. Commissioner Cundiff made the second. It was voted upon and carried.

11. **Discussion of Proposed Electrical Code Review Committee.**

Mara Snyder, Director, Code and Legal Services, offered the Commission her plans for the proposed Electrical Code Review committee with Raleigh Kouns acting as the Chairperson. Commissioner Hawkins moved that the process begin with the second by Commissioner Ogle. It was voted upon and carried.

12. **Adjournment.**

Chairman Hannum called for further business. There being none, he adjourned the meeting at 12:59 p.m.

APPROVED

David Hannum, Chairman