

MINUTES
HISTORIC PRESERVATION COMMISSION
Monday, January 11, 2016
City Hall, Room 210
4:00 p.m.

MEMBERS PRESENT: Ald. Mark Steuer, Roger Retzlaff, Susan Ley, Dave Boyce, and Dennis Doucette

MEMBERS EXCUSED: Jeanine Mead

ALSO PRESENT: Tom Bierke, Jason Flatt, Gene Hackbarth, Eric Genrich, Ald. J. Wiezbiskie, Bill Meindl

APPROVAL OF MINUTES:

Approve December 14, 2015 Minutes

A motion was made by R. Retzlaff and seconded by S. Ley to approve the minutes for December 14, 2015. All in favor. Motion carried.

APPROVAL OF AGENDA:

Modify and adopt agenda

A motion was made by R. Retzlaff and seconded by S. Ley to approve the agenda. All in favor. Motion carried.

COMMUNICATIONS:

None

DESIGN REVIEWS:

1. Review and discuss building permit for 812 E. Mason Street.

Tom Bierke, 1433 S. Chestnut Ave., stated he recently acquired the property at 812 E. Mason Street. He was notified by City Inspection (Inspector Tim Meves, Case 76874) that the upper balcony was showing some distressed wood and the boards should be replaced. He worked on the repairs on a Saturday and once into the project, he realized the whole deck was weak and needed to be replaced. The deck size is approximately 45" x 60" and on the second story. He then let the City know that it was not repairable and had to be replaced. At that time he was told a building permit was required for the work so they could properly inspect it. He was also informed the project needed to be presented to the HPC. The project was completed immediately because it is a second story fire escape. Once it was taken down, it needed to be completed so the tenants would not be left in a dangerous situation. The intention was just to repair a couple boards, but it was in worse condition than anticipated.

Pictures of the new deck were presented as well as pictures of other decks on the two other sides of the house. The new deck was built in a similar style and was structurally like the one taken down. J. Flatt provided a picture of the old deck.

A final building inspection will be conducted once a building permit is secured.

Ald. Steuer stated if this permit was approved, it would be contingent upon approval from the Inspection Department.

R. Retzlaff stated that it isn't up to the HPC to verify the structural capabilities because that falls under the Building Code. It was also noted that the HPC doesn't have the ability to respond on an emergency basis. If given the opportunity before the work was completed, the HPC would have suggested trying to replicate some aspects of the old porch, particularly how the posts extend through and are mitered off in a pyramid shape. This would be considered more of a decorative issue than structural. The posts on the new balcony were carried through to properly support the guard rail.

A motion was made by R. Retzlaff and seconded by S. Ley to approve the permit. All in favor. Motion carried.

CONTINUING BUSINESS:

2. Further discussion concerning the Fort Howard building at 412-414 N. Maple Ave.

J. Flatt indicated that he had the same summary report that was presented at the last HPC meeting and recorded in the minutes. The report from James Hayward & Associates indicates that this may very well be an original Fort building based on the inspection they performed. The report is primarily an economic study and covers purchase price, relocation costs, rehabilitation costs, and maintenance costs as was summarized last month.

Ald. Steuer stated there are a number of inherent costs that come into play that bring the cost up so high. Funding would likely have to come from private contributions, with the City possibly providing some in-kind assistance. Ald. Steuer suggested taking the report to the Economic Development Authority next month because that is where the discussion originated. The HPC needs to make a decision/recommendation. He would like the members to review the report and possibly hold a special meeting on January 25 at 4:00 p.m. with this being the only item on the agenda.

R. Retzlaff commented that one of the goals for the HPC is to try to keep historic resources in service and maintained as historic resources in their location. If there was a threat this building would be torn down, then the HPC should pursue relocating it. As long as this building is in use, it's important to identify it and designate locally to provide it with some local protection and find funds for a plaque to be set up in front of the property. The HPC should come up with a solution for the Fort Howard site itself, such as designating the perimeter of the Fort.

Ald. Steuer stated that there was some discussion of this at City Council, to take at least ½ acre of land for historical purposes.

R. Retzlaff suggested coming up with a process, such as a design competition, that would produce a historic development plan for the site that would identify how the Fort area should be treated as development in the area occurs.

Discussion followed regarding the 200th anniversary of the Fort, which is on August 7, and some plans that are underway for riverboat tours and an exhibit at the Neville Museum. R. Retzlaff suggested a formal declaration by the City designating the Fort Howard perimeter as a historic area. J. Flatt discussed the possibility of identifying where the flag pole was located and having it re-erected, as a first step towards designating the area. There could be a monument that references the location of the flag pole.

Ald. Steuer received a packet of information that he will have copied and share with the other members.

A motion was made by Ald. Steuer and seconded by D. Doucette to hold a special meeting on January 25 at 4:00 p.m. All in favor. Motion carried.

3. Further discussion on the City of Green Bay's Legal Department drafting of a mandatory historic preservation ordinance with the intent for the City to obtain Certified Local Government status.
4. Further discussion on having HPC meeting minutes reported to and acted upon by the City Council.

Ald. Steuer read items 3 and 4 and recommends holding these items until such time that the Assembly Bill situation is resolved.

A motion was made by R. Retzlaff and seconded by D. Doucette to hold items 3 and 4 until next month's meeting.

R. Retzlaff provided some background on the designation process. It is currently voluntary and requires the owner's consent. The State Statute could be changed by the Assembly Bills with respect to Certified Local Government status. Because we are pursuing CLG status and altering our ordinance, he would like to continue with that process until we know what actions will be taken with the Assembly Bill.

All in favor. Motion carried.

5. Further discussion on Historic Preservation awards.

The awards are in May and candidates need to be selected. Ald. Steuer and J. Flatt will be co-chairs this year. A press release needs to go out asking for nominations and should be distributed to City staff, neighborhood associations, and other historic organizations in the City. There is a standard form that has been used in the past. D. Boyce offered to assist as well, if needed.

R. Retzlaff offered some suggestions for candidates at the last meeting and they are listed in the minutes. Suggestions mentioned were 124 Chicago St., the building that NeighborWorks Green Bay is located in, the building across the street from NeighborWorks that used to be a factory and was converted to apartments, and The Cannery.

6. Report by Jason Flatt on projects and initiatives from December and projected for January, including discussion of the Draft Preservation Plan. A schedule for future meetings with various neighborhood associations and other groups will be discussed as well, including the meeting slated for the Astor Neighborhood Association on January 18, 2016.

J. Flatt confirmed that he will be speaking at the Astor Neighborhood Association meeting on January 18 at 6:30 p.m. He will be speaking to the association about the revision of the local HPC Ordinance to make it Certified Local Government compliant. He questioned if he should recommend that a resolution be done on behalf of the association either in favor of or opposed to the CLG status. He'd like to provide the meeting attendees with a link or hard copy of the draft Preservation Plan. It was suggested to provide one hard copy for the association.

Discussion followed on the State Statute language changes proposed in the Assembly Bill and Senate Bill. The changes would remove from municipal powers the ability to designate and enforce Historic Preservation Ordinances without the consent of the owner. It would make all Historic Preservation Law optional depending on what the owner wants. This would be bad for districts in Green Bay and could lead to the districts no longer having the cohesion needed to maintain its National Registry status.

It was noted there are two different subject matters, one being the commercial district, like downtown, and the other is domestic/residential.

J. Flatt stated the Assembly and Senate Bills proposed changes would effectively destroy Wisconsin's Certified Local Government program. Any proposed changes to have a stronger ordinance would become a moot point because it would put the decision into the hands of each property owner as to whether they want to take on laws that have a valid public purpose or opt out.

Ald. Steuer stated that if Astor Neighborhood is on board with the HPC it will make everything easier. He encouraged any Commission members to attend the Astor Neighborhood Association meeting if they can. A copy of the draft Preservation Plan should be brought to the meeting.

A motion was made by R. Retzlaff and seconded by S. Ley to receive and place on file the report from Jason Flatt. All in favor. Motion carried.

NEW BUSINESS:

7. Discussion on Wis AB-568 and potential ramifications for the City of Green Bay and its quest to attain CLG status.

Ald. Steuer noted that the Senate Bill was not mentioned, but there is an Assembly Bill and Senate Bill that is basically the same thing. Gene Hackbarth, with the De Pere Historic Preservation Commission, was present. De Pere is a Certified Local Government and G. Hackbarth has provided useful information to assist Green Bay. A tentative resolution was discussed, which states the Green Bay Historic Preservation Commission opposes Assembly Bill 568 and Senate Bill 445. Ald. Steuer would like the resolution to go to City Council at their January 18 meeting.

Eric Genrich, Assembly representative, arrived.

A motion was made by Ald. Steuer and seconded by S. Ley to open the meeting for public discussion. All in favor. Motion carried.

Eric Genrich stated that the Assembly Bill will be amended to grandfather in all existing districts and then creating a higher threshold for the designation of new historic districts. It is unclear what that threshold will be, but two-thirds vote was mentioned. He hasn't seen the actual language yet.

Ald. Steuer stated that the HPC is continuing to move forward with steps to obtain CLG status. He is suggesting that the resolution be sent to all Senate and Assembly representatives for Brown County.

Gene Hackbarth provided an update regarding the resolution from De Pere. The De Pere HPC unanimously supported moving a resolution to the Common Council requesting that the historic preservation clause for each of the municipalities be deleted. The City Council approved it and passed on the resolution to the local legislators and Governor Walker. He was aware of amendment language and it will be made available to the general public in a day or two. He questioned if CLG status will still apply if there is a requirement of two-thirds approval versus the 50 plus one property owner approval. He has that question going to the State Historical Society. He would not want to see CLG status wiped out by the current or amended legislation. He suggested considering a resolution that calls for the removal of the historic preservation laws in both the Senate and Assembly Bills. A reference could be made to Amendment #4 that was put forward by

Assemblyman Leon Young. In that amendment he is calling for the removal of the historic preservation clause.

Discussion followed on what is meant by removal of the historic preservation language. It was clarified that if the language is removed from the Assembly and Senate Bills, current Historic Preservation State Statutes would remain the same.

Ald. Steuer noted that this item will be added to the resolution.

R. Retzlaff noted that he has additional comments and suggestions to strengthen the resolution and will provide those to Ald. Steuer. The goal is to have the resolution on the City Council agenda for January 18.

8. Discussion on potential new HPC commission member.

Ald. Steuer provided a recommendation of Patricia Olsen as a new member.

9. Discussion on February 2016 "Meet and Greet", potentially at the Hotel Northland.

Discussion occurred on holding the event at the Brown County Library Auditorium on Thursday, February 11. An agenda will be put together for a Meet and Greet gathering followed by a formal meeting.

10. Review December 2015 Building Activity Report.

R. Retzlaff commented that the loss of the Dutch Colonial at 927 N. Broadway was a significant loss to the architectural character of the community. To have it torn down was in error with respect to historic preservation.

B. Meindl suggested that the HPC keep an eye on the reconstruction of N. Webster Avenue. Due to substantially widening the road, there will likely be demolition, with the possibility of a historic church.

11. Review City Raze/Repair Orders and Demolitions.

J. Flatt reviewed properties at 1332 Klaus, 927 N. Broadway, and 1146 S. Greenwood.

OTHER ANNOUNCEMENTS AND NEWS

R. Retzlaff mentioned the need to re-assess packet distribution. Members need to receive packets by Friday the week preceding the meeting.

NEXT MEETING DATE: Monday, February 8, 2016

ADJOURNMENT

A motion was made by S. Ley and seconded by D. Boyce to adjourn. All in favor. Motion carried.