

**HISTORIC PRESERVATION COMMITTEE MINUTES**  
**OF APRIL 12, 2004**

Meeting called to order by Chairperson Guensburg at 5:02 PM in the Executive Conference Room of City Hall Plaza.

**PRESENT:** John Peters, Sarah Fuelleman, Iris Guensburg, Lyman Smith, Pete Turney, Alderman Don Krueger, David Korth

**ABSENT:** None

**ALSO PRESENT:** Bonnie Curtiss, Planner/Zoning Administrator, Amber Miller, Director of Planning & Economic Development, Mayor Meyers, Alderman Mike Feirer, Alderman Russ Stauber

Minutes of the March 8, 2004 meeting were presented for approval.

**HP04-10** Motion by Smith, second by Fuelleman to approve the minutes of the 3/8/04 meeting with minor correction. All Ayes.

**Motion Carried**

**Discussion/action on Historic Preservation Brochure.**

Smith presented the brochure as prepared by the designer. The designer suggested material and color changes that would be historically appropriate. No costs have been incurred to this point for the design of the brochure. Copies of the brochure shall be sent to the Committee for review and comment prior to the next meeting.

**Discussion on Committee's policy regarding owner's consent in designation of properties as local landmarks or part of a local district.**

Curtiss introduced the item as it was requested to be on the agenda. She presented the possibility of the Committee adopting a formal policy or agreed upon procedure regarding the property owner's approval. Fuelleman further explained her reasons for adding the item to the agenda and expressed concerns about communication between the Committee and property owners.

Smith explained that it was his understanding that Pete Bores was in favor of the local historic designation of the 'Thiel Building' before being discouraged by a contingent of local people.

Guensburg questioned a policy or procedure because the ordinance clearly addresses that the Committee may proceed to nominate a historic structure without the owner's consent.

Mayor Meyers noted that past designation attempts have been a better success where the owner has consented.

Miller mentioned that she would be looking at recommending a policy to the Plan Commission to not approve the nomination of properties to the local register without the owner's consent. Turney questioned why such a policy at the Plan Commission and would this not undermine the role of the Historic Preservation Committee.

Korth felt it was a waste of time and research to pursue a property designation without owner's consent. Mayor Meyers noted that it would serve everyone's best interest to adopt some type of policy, even if it were just a statement signed by the property owner.

**HP04-11** Motion by Krueger, second by Korth that in order to recommend approval to Plan Commission to proceed with local historic designation that the Committee have the owner's consent with the nomination.

Smith asked if action on a 'policy' will weaken the Committee's role and if action taken at this meeting will effect the nomination of the 'Baumann' building.

Peters believes it is good to at least get the package to a higher level such as the Plan Commission and maybe the Common Council in order to convey the understanding of the importance of historic buildings in our community.

Miller plans to ask City Attorney Hutchinson to give a legal opinion on the legality of approving a property designation on the local register against the wishes of the property owner.

**Motion withdrawn** by Krueger, Korth till Attorney Hutchinson gives opinion related to the subject.

**Discussion of the referral from Common Council of the nomination of 301-303 S. Central Ave (Thiel Building) to the Municipal Register of Historic Places.**

Smith summarized the main concerns of the owners of the Thiel Building, as related to the requirements under the local historic preservation ordinance. The property owners do not want to move forward with the process till their concerns can be sufficiently addressed by the Committee. Smith mentioned that he has attempted to contact Mr. Bores to identify the 'rescission of designation' provision in the code. Smith will continue to try and follow up with the property owner.

**Discussion/action on the nomination of 101 N. Central Ave (Baumann's Bar and Saenger Hall) to the Municipal Register of Historic Places.**

Miller presented a letter from the property owners indicating that they do not want their structures nominated to the local register.

**HP04-12** Motion by Korth, second by Krueger to table to next meeting waiting opinion of City Attorney regarding owner's consent.

**Motion Failed.**

**HP04-13** Motion by Smith, second by Peters to recommend nomination to the Plan Commission and move forward on nomination without owner's consent.

Fuelleman felt that the Committee should not proceed with the nomination with the owner's expressed opposition because it is a waste of staff time and money for legal notices.

Smith felt that the Committee wasn't doing its job if they didn't move forward with the nomination and let these buildings be demolished.

Chairperson Guensburg called for a vote on the motion. Four voted 'Aye', three 'Nayes.'

**Motion Carried.**

**Update on final plans for 2004 Historic Preservation Week.**

Guensburg presented a copy of the plans discussed at the March 1, 2004 Historic Preservation Week Committee meeting. The plans will be modified to omit 'Thiel Building' dedication. In addition, there will not a formal dedication or plaque presentation during the week for the Edward Jones Investments

building. The property owner wishes to delay the presentation till the building is ready. He plans to remove the paint and do some tuckpointing.

**Discussion/action on final budget expenditures to fund 2004 Historic Preservation Week activities.** Guensburg reported there would be no additional items or expenditures; therefore, no action required.

**Discussion of historic preservation ‘promotional concepts’, looking at example of ‘Century Home Program’ of St. Cloud, Minnesota.**

Curtiss asked the Committee to review the program materials provided with their agenda packages and discuss the program or similar concepts at the next meeting. Curtiss plans to contact the St. Cloud planning office to get more information on how the program and the local preservation ordinance work together. She wants to find out if the program encourages property owners to further consider being added to the local register.

**Discussion of Committee members whose terms expire April 30, 2004.**

Sarah Fuelleman is the only member whose term is due to expire. She will be making her decision whether or not to return to the Committee and will report that decision to the Mayor in the following weeks.

#### **Next Agenda**

Discussion/action of Historic Preservation brochure, discussion of policy on owner’s consent to designation of property, discussion on historic preservation promotional concepts, election of officers

The next meeting will be May 10, 2004.

Motion by Krueger, second by Korth, to adjourn at 6:35PM. Motion Carried.

Respectfully submitted,  
Bonnie Curtiss  
Planner/Zoning Administrator