



Historic Preservation Commission

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Final Minutes

Monday, September 19, 2016

6:00 PM

De Pere City Hall Council Chambers

Call to Order

The meeting was called to order at 6:00 PM by Chairperson Mike Fleck

Attendee Name	Title	Status	Arrived
Scott Crevier	Alderpersion	Present	
Mike Fleck	Chairperson	Present	
Gene Hackbarth	Commissioner	Present	
Brian Netzel	Vice Chairperson	Excused	
Kate Sabel	Commissioner	Excused	
Sue Sands	Commissioner	Present	
Adam Turriff	Commissioner	Present	
		Present	

Also present: City Planner Peter Schleinz and members of the public.

2. Approval of the minutes of the August 15, 2016 Historic Preservation Commission meeting.

Sue Sands motioned, seconded by Gene Hackbarth, to approve the minutes. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Crevier, Fleck, Hackbarth, Sands, Turriff
EXCUSED:	Brian Netzel, Kate Sabel

3. Review and recommendation regarding revisions to the Historic Preservation Ordinance to allow the Historic Preservation Commission to designate historic buildings with the awareness of property owners.*

This ordinance was reviewed at the last HPC meeting in August. City Planner Peter Schleinz explained the three revisions to the ordinance:

1. Format for the Historic Preservation Commission to designate local historic properties and sites without the permission of a property owner.
2. An established method for the common council to override a historic preservation commission recommendation.
3. Establish a procedure for a property owner to appeal a historic designation recommendation.

Peter explained that the purpose of these ordinance changes is to allow the city of De Pere to retain its certified local government (CLG) status and be eligible to receive grants from the Wisconsin Historical Society. It also allows the ordinance to remain in conformance with state statutes of the state of Wisconsin. Letters were sent out to notify property owners in all of the historic districts, for a total of 243 letters. Peter reported that he received two responses regarding the letter. The first response was from Jennifer Sunstrom, the government affairs director of the Realtors Association of N.E. Wisconsin. She requested some supplemental information regarding the language related to the ordinance as well as a copy of the Wisconsin Legislative Council Act Memo for the 2015 Wisconsin Act 176. She also wanted clarification for CLG status requirements which Peter provided. The second set of comments were from Mary Baeten, a property owner

who lives in the Randall district. She stated that she strongly objects to any changes to the ordinance. Primarily, she feels that she should not have to defend her property rights. In her opinion, these ordinance changes will leave no protection for property owners. Planning staff recommended approving the ordinance revisions to retain the City's CLG status.

Gene Hackbarth reported that since 2001 he has been involved in many of the activities of the Historic Preservation Commission and has had the opportunity to secure subgrants from the Wisconsin Historic Society. Since 2001, the City of De Pere has brought in over \$60,000 in funding. These grants provide and pay for the recent intensive survey and has afforded the city of De Pere the opportunity to hire consultants to do a large number of nominations for listing on the state's national registers. Gene stated that he feels it's very important for this proposal to move forward for approval by the City Council. Scott Crevier stated that he has the same concerns as Mary Baeten regarding the ordinance changes. He questioned that in order to get grants, do we have to be able to do it without property owners' consent? Peter replied yes. He then explained that there are six specific criteria outlining the requirements for CLG status and three of those relate to designation. They are: 1. The ordinance must allow historic property owners to opt out of local historic designations., 2. Designation must not require homeowner consent, and 3. The Commission must approve work on locally designated properties and recommendations may not be advisory. He stated that if these criteria are not met, any grants that would be funded by the Wisconsin Historical Society would be cut off. He stated that the recent \$19,000 grant for the intensive survey will be the last grant that De Pere will qualify for unless the ordinance changes are approved. Scott Crevier then asked for clarification on the method for the Common Council to override the HPC recommendation. Peter answered that the Common Council does have the authority to overturn a decision of the HPC. Adam Turiff pointed out a concern that if the HPC does not qualify for the grants, where would the money come from?

Mike Fleck motioned, seconded by Scott Crevier, to open the meeting to the public. Upon vote, motion carried unanimously. None of the audience members in attendance wished to speak. Gene Hackbarth motioned, seconded by Scott Crevier to close the meeting and return to regular session. Upon vote, motion carried unanimously. Scott Crevier thanked the audience members for attending and urged them to attend the City Council hearing when the final decision is made and perhaps share their thoughts. Before voting, Gene Hackbarth wanted to make one final comment. He stated that there's a myth that property rights will be restricted if a building is designated as historic. He then quoted from John Decker from the Wisconsin Association of Historic Preservation Commission. Mr. Decker responded that the intention of the historic preservation standards and laws is to protect property rights, not take them away. Your community's zoning code will help maintain and enhance property values in designated historic districts. If you owned a historic house or commercial property in a historic district, you can count on your local design review process to help preserve the historic character of your neighborhood or downtown. This preservation of historic character will enhance everyone's property and resale values. Without historic district zoning, your neighbor could build or remodel in such a way as to detract from the area's historic character and negatively affect your property. Gene stated that based on that information, he is in strong favor of recommending the ordinance revisions. Mike Fleck added that the newly built house on Cook Street is an example of what can happen when there is not a historic designation in place. He stated that many neighbors complained about this home, saying it did not fit in with the rest of the houses in the neighborhood. However, since there was not a historic district designated, nothing could be done because there was no district.

Scott Crevier noted that he is not in favor of the changes to the ordinance. He stated that while the grants are very beneficial, they are not worth it if the property owner's rights are not maintained. Mike Fleck motioned, seconded by Gene Hackbarth to approve the revisions to the Historic Preservation Ordinance to allow the HPC to designate historic buildings with the awareness of property owners. Upon vote, motion carried by a vote of 3-2.

RESULT:	ADOPTED [3 TO 2]
AYES:	Mike Fleck, Gene Hackbarth, Adam Turriff
NAYS:	Scott Crevier, Sue Sands
EXCUSED:	Brian Netzel, Kate Sabel

4. Staff update to the Historic Preservation Commission regarding the N. Broadway Historic District plaque project.

City Planner Peter Schleinz reported on the N. Broadway historic plaques project that began in Spring 2016 but was put on hold due to staff changes. He identified all existing property owners that had originally requested to be part of the plaque program and any properties that had turnover of ownership. All of those people were sent a letter in the past week asking them to verify that they still hold an interest in the program. Once staff gets a total count of who is still interested, they will seek pricing from signage companies for the plaques. Peter reported that the original price quote at the beginning of the project was for an estimate of 56 plaques. However, now that the number of plaques is significantly less than that, at 14, he does not know what the impact will be as far as pricing of the plaques goes. By October 5 or 6, he stated that he should know how many owners still want to participate in the program and then identify what the plaques are going to look like and what the actual pricing will be. Since this is an information only item, the Commission did not need to take action at this time.

RESULT:	NO ACTION
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5. Staff update to the Historic Preservation Commission regarding the Wisconsin Historical Society grant for an intensive survey.

City Planner Peter Schleinz reported on the changes that were made related to the timeline for the intensive survey, which were discussed at the August meeting. These changes relate primarily to the process for notifying the public as the survey progresses. Peter stated that there is a period of time on the timeline where the majority of the survey would be complete and would be bouncing back and forth between the City of De Pere and the state to verify that it's meeting the criteria. It will be during this phase where we can begin the process of notifying the public on what the survey is about and then towards the end of the phase informing the public on the results of the survey. Since this is an information only item, no action needed to be taken by the Commission at this time.

RESULT:	NO ACTION
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6. Other items for discussion.

Gene Hackbarth reported on a previous agenda item to relocate the Wisconsin State Historical Marker #189 which was removed from the corner of Broadway and George Street in 2015. Gene made a recommendation to pursue locating the sign in close proximity to the landscape area near the dock for Fox River Tours. City Planner Peter Schleinz stated that he would add it as a future agenda item for the next meeting. Scott

Crevier suggested that staff should check with Marty Kosobucki, the director of Parks, Recreation, & Forestry for feedback on a good location for the marker.

Scott Crevier requested that Peter provide an additional page in the agenda packet showing the Wisconsin requirements and benefits for CLG status to be added for the next City Council meeting . He also asked Gene Hackbarth to put together a report with specific projects which were funded with grant money to be included in the agenda packet for the next City Council meeting, which will be held on Tuesday, October 4.

Adam Turriff also suggested including a list of other cities within the state of Wisconsin who also have CLG status to be included at that meeting.

Gene Hackbarth made an announcement that Mary Jane Herber, a resident of De Pere, will be receiving the 2016 Governor's Award for Archival Advocacy which will be awarded by the Wisconsin Historical Society on Thursday, October 6 at 6:45 pm at the Brown County Library, downtown Green Bay.

RESULT: NO ACTION

Adjournment

Scott Crevier motioned, seconded by Gene Hackbarth, to adjourn the meeting. Upon vote, motion carried unanimously.

Respectfully submitted,
Kelly Barker