

Minutes of the July 9, 2013
Rapid City Historic Preservation Commission Meeting

Members Present: Jean Kessloff, Shawn Krull, Lance Rom and Bill Freytag

Members Absent: Sally Shelton, Jim Jackson and Heather Knox

Others Present: Katherine Palmer, Jeanne Nicholson, Patsy Horton, Brett Limbaugh, Michelle Dennis, Beverly Shaw, Mike Boehm, Mayor Kooiker, Brad Solon and Bonny Petersen, City Council Liaison

Krull called the meeting to order at 7:30 a.m.

Approval of Meeting Agenda

Horton requested that the State Historic Preservation Office Summary be added as an item on the agenda. Petersen also requested to add the item, Council Liaison, to the agenda.

Rom moved to approve the agenda with the noted additions. The motion was seconded by Kessloff and carried unanimously.

11.1 Reviews

914 West Blvd (13RS019)

Shaw explained that Mike Boehm will be doing the work. She added that the concrete slab has been poured and that the Commission is reviewing the request for the carport.

Boehm reviewed the layout of the property and the drawings. He added that the large maple tree has been considered in the placement of the carport.

Rom moved to recommend a finding that the addition of the carport extending from the small garage behind the house will have no adverse effect on the property located at 914 West Boulevard. The motion was seconded by Freytag.

In response to a question from Freytag regarding the roof, Boehm explained that the roof will be a flat roof similar to the neighbor's carport roof. He added that the carport structure may not be able to support a gabled or hip roof.

The motion to recommend a finding that the addition of the carport extending from the small garage behind the house will have no adverse effect on the property located at 914 West Boulevard carried unanimously.

Approval of Minutes

Kessloff moved to approve the June 21, 2013 meeting minutes. The motion was seconded by Rom and carried unanimously.

New Business

Update regarding 1123 Fulton Street

Palmer reminded the Commission that they requested this item be kept on the next agenda.

In response to a question from Freytag, Palmer advised that the project is completed.

In response to a question from Kessloff, Limbaugh advised that no fines will be assessed to the owner and/or contractor because they did not use the correct siding as directed by the Commission and the State.

Contributing and Non-Contributing Classifications

Kessloff asked if 1123 Fulton Street will lose its contributing classification. Palmer advised that the State has not made a determination as of this date.

Kessloff expressed concern that the City has no recourse for property owners who don't follow the approval requirements.

Horton informed the Commission that staff will now be sending an official letter to the property owners and the contractors outlining the approval requirements. She added that the letter will also include an explanation about what can happen to the contributing status if the approval requirements are not met. Horton added that the options for recourse when the property owners and contractors do not follow the approval requirements have not been presented to the City Council for review.

Additional discussion followed regarding the stop work order at 1123 Fulton Street.

Solon entered the meeting at this time.

Building Permit Process

Krull requested clarification about what the consequences are for property owners who do not follow the building permit process.

Solon reviewed the building permit and stop work order processes. He explained that if it is determined that the property owner and/or contractor is not following the Commission's approval requirements at the time the inspection is done, they are directed to resubmit a 11.1 Review application identifying the changes for the Commission to review. He added that most of the applicants are cooperative.

Kessloff expressed her opinion that there are two different issues to consider, one being the building permit process and the other being the contributing status. She asked if the City can assess fines for the violations.

Horton stated that a determination needs to be made by the City Council whether to start assessing property owners and/or contractors penalties for not following the Commission's approval requirements.

Limbaugh added that there is the option to revoke a contractor's license if a contractor is involved. A lengthy discussion followed.

Solon departed the meeting at this time.

Recommended Changes to the HPC Ordinance and Bylaws Attendance Clauses

Mayor Kooiker reminded the Commission that the Ordinance states that a member will be removed from the Commission after three consecutive absences. He recommended that the membership clauses of the Ordinance and the Bylaws be reviewed. Mayor Kooiker commented that the membership should also be reviewed to determine what the appropriate number of members is needed for the Commission to be operational and functional. He suggested that the Commission be comprised of seven members and two alternates and requested input from the Commission. He added that diversity is good and interpretation differences exist about historic preservation.

Freytag expressed his opinion that it is easier to make decisions with fewer members and that the attendance issue needs to be addressed.

Rom concurred with having fewer members on the Commission but expressed concern with fewer members being able to cover the other activities and projects that the Commission is involved in. A brief discussion followed.

Mayor Kooiker commented that the Commission meetings could be held in the Council Chambers which would allow the public to view the proceedings of the meetings and would assist in improving the image of the Commission. Rom and Kessloff concurred.

A brief discussion followed regarding the alternate designations and responsibilities.

Kessloff and Krull expressed their support for seven members and two alternates.

Mayor Kooiker directed staff to move forward with the revisions to the Ordinance and the Bylaws and to bring back the revisions to the Commission for their review.

Dennis inquired as to whether the alternates can be involved in the subcommittees.

Mayor Kooiker advised yes and that the details about voting would be identified in the Ordinance and Bylaws. He suggested that the next Commission meeting be held in the Council Chambers.

Dennis requested clarification about the attendance requirements. Discussion followed.

Limbaugh explained that a memorandum was sent out by the City Attorney regarding the attendance requirements for Historic Preservation Commission in both the Ordinance and the Bylaws.

Freytag requested that a copy of the memorandum be emailed to the Commission members and that attendance requirements be an item on the next agenda.

Rotating Schedule for City Council Meetings

Palmer provided a copy of a draft rotating schedule for the Commission members to attend the Public Works Committee, Legal and Finance Committee and City Council meetings.

Freytag commented that the members do not need to attend as a representative of the Commission unless there is an appeal on the agenda.

Kessloff expressed her opinion that it would be better if a Commission member is assigned for a month at a time instead of weekly. Krull concurred.

National Trust for Historic Preservation

Krull recommended that this item be tabled until the new membership has been determined.

Historic Preservation 11.1 Review Process Flowchart

Palmer reviewed the flow chart outlining the process for 11.1 Reviews and noted that the flowchart is given to the applicants at the time of the application. A brief discussion followed.

Historic Preservation 11.1 Review Process Application

Palmer identified the changes in the application and advised that the owners will be required to sign the application. She noted that a statement has been added stating all information must be submitted with the application and incomplete applications will not be processed. Additional discussion followed.

Historic Preservation 11.1 Review Process Checklist

Kessloff suggested that the revised documents should be reviewed by someone not familiar with the process to see if they can follow the new forms.

Freytag commented that the photographs should be digital because the clarity is diminished when they are scanned. A brief discussion followed. Freytag suggested that digital photographs be requested but not required.

In response to a question from Freytag, Palmer advised that the wording for the site plans and elevation sketches are already on the checklist and have not been changed. Additional discussion followed.

Freytag requested that the Commission be provided a copy of the documentation that is provided to the applicants about the State Tax Moratorium. Discussion followed.

Kessloff commented that the Commission should request the Pennington County Assessor to attend a meeting to explain the affect that a State Tax Moratorium has on taxes.

Council Liaison

Petersen informed the Commission that Brad Estes will be the new liaison.

Minutes

In response to a question from Freytag, Horton reviewed the process for preparing the minutes and the disposition of the minutes to the building permit staff. Discussion followed.

Freytag requested that the Treasurer's Report be added as an agenda item starting with the next meeting.

State Historic Preservation Office Summary

Horton reviewed what summary information will be provided on the upcoming agendas. Additional discussion followed.

Displays for Historic Preservation Month

Kessloff informed the Commission that the displays for Historic Preservation Month need to be returned to Pierre and inquired if anyone was going there. She added if not, they will need to be shipped back and the shipping costs will have to be paid by CLG funds. She suggested that Chris and Paul from Pierre be contacted to see if they would be stopping in Rapid City soon.

Krull requested that the CLG Grant and an update on the Design Guidelines be added as items on the next meeting agenda.

Rom requested that budget information be provided to the Commission.

Kessloff moved to adjourn the meeting at 9:00 a.m. The motion was seconded by Freytag and carried unanimously.