

City of Sidney
Historic Preservation Board
September 16, 2014
Minutes

The meeting was called to order at 12:01pm by chairperson of board, Kay Hicks

Roll Call: Hicks, Greg Huck, Bruce Leypoldt, Kathy Wilson, and Rich Phillips

Absent: Brandy Root and Scott Williams

Additional Attendees: Megan McGown, Brad Rowan, J Leef, Gary Person, Scott Day, Mike Jackson, Dan Carmody, Shelley McCafferty, and Tammy Nelsen.

Upper Floor Study - Day shared the update regarding the study, noting that they looked at 8 properties. The goal is to provide further details to 5 of those 8. So far, the buildings that they have looked at include: Telegraph, which is a large space most conducive to light clean manufacturing; Alberts Diamondland/USA Theater - conducive for housing; Conserv Flag/Accents - Used to be Palace Motel - promising space and will likely be one of the ones that is detailed; Insurance Store - more complicated because it is tied into the space above Miller Office Products; Deli Building/Essig - great size and lots of potential - will probably be one of the ones detailed; Salvation Army - currently for sale – will likely be one that is detailed; Shirt Tales - interesting in terms of how light has been let into the interior; Wendall Gaston's building - lot of light, well built, nice ceiling height, great potential.

The UDS Team will determine which 5 buildings will be picked and forward those on to the HPB. Day encouraged HPB members to submit their input. McCafferty will be revisiting the spaces and visit with the 5 building owners to measure and take photographs. The study will include a Magnitude of Costs, basic layouts/feasibility; and the housing survey component will be launched soon. The study will also include information regarding the finance gap and methods to overcome that gap such as tax credit programs, TIF, etc.

Approval of Minutes:

Huck made a motion to approve the minutes from both the August 12, 2014 meeting and the September 2, 2014 meeting, Leypoldt seconded the motion and the motion passed with all members present voting yeas.

Reimbursement Request:

Sidney Floral/Teresa Grant – McGown noted that the original COA was issued October 2, 2013. She also stated that the request is eligible for reimbursement at a rate of 35% because the materials were not purchased locally. The total of the reimbursement request is \$2,966.60. Phillips made a motion to approve the reimbursement, Huck seconded the motion and the motion passed with all members present voting yeas.

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Mark Plaster/Dale Walker – McGown noted that the original COA was approved on July 8, 2014 and that the reimbursement rate is at 50%. The total request is for \$1,636.22. Leypoldt made a motion to approve the reimbursement request. Huck second the motion and the motion carried with all members present voting yeas.

Discussion Re: CCHA and action if applicable: McGown spoke regarding the County's authority or rather lack thereof over the CCHA. Paul Schaub, County Attorney, provided a memo which cited statutes regarding the structure of the CCHA. The memo pointed out that the County does not have jurisdiction over the CCHA and therefore Schaub did not feel comfortable being involved since it falls outside of his scope as County Attorney.

Wilson – noted her concern that the board threatened to disband and give buildings to state and then keep the artifacts for the board personally. Phillips pointed out that even if the buildings are designated as local landmarks, the HPB still has no authority over the inside or the artifacts.

McCafferty noted that she had previously spoken with the CCHA to invite them to participate in the preservation planning and other HPB processes. She did not feel that the CCHA was willing to cooperate or understand.

Leypoldt - asked if locally landmarking can protect the buildings.

Leef's concerns are regarding what power the HPB has, stating that by locally designating them as landmarks, it simply means that they would need a COA if they have a request to change the exterior of the property. McCafferty said that windows would constitute "Work" if the materials changed and/or the size of the openings, thus a COA would have been required.

Leef also noted that the landmark status wouldn't give the HPB any authority to require maintenance of the properties. She pointed out that maintenance can often fall under the Property Maintenance Code, but not the preservation board. Visible alterations or change in materials - such as plastic shutters, could be prevented with the landmark designation. But the HPB cannot force repairs, maintenance, or treatment for such things as termites.

Leef outlined the process for designation stating that if the board directs staff to move forward, McGown will complete the nomination/designation form and advertise the Public Hearing according to the Ordinance. Leef noted that in order to designate the properties against the objections of the owners, a vote of at least 6 HPB members is required.

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Leypoldt made a motion to begin the landmarking process and to direct McGown to complete the necessary forms and publications. Huck seconded the motion. The motion passed with all members present voting yeas.

Hicks spoke to the board about personal statements and representation of the HPB. She stated that as a board member, you are going to be approached as individuals about this issue and others. She encouraged the board members to be cautious in responses; stating that you cannot make comments representing the entire board.

Person suggested that HPB members cease comments and instead refer to the City Attorney. He suggested using the statement, "I'm part of the HPB and I cannot make comments because I don't want that misconstrued. I will be happy to listen and take your concerns to the board, however I cannot comment."

Comments by the City Manager – Person noted that the City received COA at the September 2 meeting and demolished the Elwell building shortly thereafter. He noted that the building was filled with asbestos and that it began to collapse shortly after beginning the demolition process.

Comments by the public: Nelsen announced that the annual meeting of the CCHA is Saturday night at Luigi's.

With all business being addressed, the meeting adjourned 1:10pm