

OFFICIAL NOTICE AND AGENDA

The City of Stoughton will hold a **Regular** meeting of the **Landmarks Commission** on **Thursday, February 13, 2020 at 6:30 pm** in the **Hall of Fame Room, Lower Level, Opera House, 381 E. Main Street**, Stoughton, Wisconsin, 53589.

AGENDA:

1. Call to order.
2. Public Comment (each speaker allowed 3 minutes).
3. Consider approval of the Landmarks Commission meeting minutes of January 9, 2020.
4. Proposed amendments to the Historic Preservation Ordinance.
 - Public Hearing
 - Recommendation to Council

Communications/Updates.

5. Update: Linderud photo collection. (Todd)
6. Update: Community outreach. (Kristi and Kim)
7. Update: 2020 mini-grants (\$10,000).
8. Update: UW Madison Engineering Study of the Power Plant

Discussion/Potential Action.

9. Local downtown district planning.
10. Commission reports/calendar.
11. Future agenda items.
 - a. Update: RDA subcommittee.
 - b. Update: 1892 High School.
 - c. Discuss 2020 Historic Preservation Award.
12. Adjournment.

2/4/20mps

COMMISSIONERS:

Peggy Veregin
Alan Hedstrom
Kristi Panthofer

Jean Ligocki (Council Rep)
Greg Pigarelli

Kimberly Cook
Todd Hubing

EMAIL NOTICES:

Desi Weum
Matt Dregne, City Attorney
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Council Members
Leadership Team
stoughtoneditor@wcinet.com
stoughtonreporter@wcinet.com

Receptionists
Joe DeRose
Chamber of Commerce

For security reasons, the front door of the Opera House will be locked (including the elevator door). Please use the east employee entrance.

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 873-6677 PRIOR TO THE MEETING.

NOTE: AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE COUNCIL.

Landmarks Commission Meeting Minutes

Thursday January 9, 2020 – 6:30 pm

Opera House, Hall of Fame Room, Lower Level, 381 E. Main Street, Stoughton, WI.

Members Present: Peggy Veregin, Chair; Alan Hedstrom, Vice-Chair; Todd Hubing; Jean Ligocki; Greg Pigarelli, Secretary; and Kimberly Cook.

Absent: Kristi Panthofer

Guests: Keri Murphy

Press: Mack Krumme

1. **Call to order.** Veregin called the meeting to order at 6:33 pm.
2. **Public Comment (each speaker allowed 3 minutes).**
No one spoke.
3. **Consider approval of the Landmarks Commission meeting minutes of December 12, 2019.**
Motion by **Ligocki** to approve the minutes as presented, 2nd by **Pigarelli**.

Hedstrom suggesting adding the power plant as the project in agenda item number 8.

Motion carried with the suggested change 6 – 0.

4. **Request by Ryan and Keriann Murphy for a Certificate of Appropriateness approval to repair windows and foundation at 201 S. Franklin Street.**
Veregin introduced the request.

Hedstrom questioned the type of mortar planned for use. Veregin stated type “O” should be used.

Keri Murphy stated Dave Udstuen of Brickworks would match the color and texture of the existing mortar.

The group discussed how the stained glass is planned to be repaired.

Motion by **Hubing** to approve the COA including using type “O” mortar, 2nd by **Ligocki**.
Motion carried 5 – 0 (Ligocki abstained)

5. **Subcommittee review of historic preservation ordinance definitions.**
The subcommittee members are Veregin, Hedstrom and Ligocki.

Veregin and Hedstrom met to discuss Attorney Dregne’s December 10, 2019 memo regarding recommended changes to the Historic Preservation Ordinance. Both Veregin and Hedstrom agree with the recommendation.

Motion by **Hedstrom** to recommend changing the ordinance according to Attorney Dregne’s recommendations from the memo dated December 11, 2019, 2nd by **Pigarelli**. Motion carried 6 – 0.

6. Update: Linderud photo collection.

Nothing new to report. Hubing will contact Stacey next week to access the Linderud photos.

7. Update: Community outreach.

Ligocki stated she has been in conversations with Regina Hirsch about potential community outreach in April 2020.

8. Update: 2020 local landmark min-grants.

Veregin provided a draft letter and application for the 2020 grants.

The group discussed simplifying the letter and adding a section on prior grant approvals.

The intent is to send out the letter and application to Local Landmark owners in January with the submittal deadline of March 5, 2020.

Veregin discussed providing a press conference to update the Common Council and public possibly at the February 11, 2020 Common Council meeting.

9. Local downtown district planning.

Veregin contacted the Stoughton Public Library to reserve the Carnegie Room for presentations. The group decided January 18, 2020 from 1 – 4 pm and January 21, 2020 from 6:30 – 8:30 pm are appropriate dates/times. Veregin plans to give the presentations with Hubing and Hedstrom available to assist.

Veregin will have Panthofer post information about the presentations on the Landmark Facebook page.

Mack Krumme will include a press release in the HUB.

Motion by **Hedstrom** to approve having 2 presentations at the Stoughton Public Library, Carnegie Room on January 18, 2020 from 1 – 4 pm and January 21, 202 from 6:30 – 8:30 pm, 2nd by **Cook**. Motion carried 6 – 0.

10. Commission Reports/Calendar.

The group discussed the plans provided by Ayres for the RDA Subcommittee for Downtown Revitalization. The plans suggest areas of potential to revitalize blighted areas in and near the downtown.

11. Future agenda items.

- a. Update: RDA subcommittee.
- b. Update: 1892 High School
- c. Discuss 2020 Historic Preservation Award
- d. UW Madison Engineering Study of the Power Plant – Next Month

12. Adjournment. Motion by **Hedstrom** to adjourn at 8:05 pm, 2nd by **Ligoeki**. Motion carried 6
- 0.

Respectfully Submitted,

Michael P. Stacey

To Historic Preservation Commission

From Matt Dregne, City Attorney

Date December 10, 2019

Re Chapter 38 – definitional issues relating to “landmarks”

I write in response to a request that I summarize an issue that came up during the HPC’s discussion of designating the Power House as a “landmark” under Chapter 38 of the Municipal Code. The Commission designated the boundaries of the “landmark” to include both the building and some of the land around the building. I questioned whether it made sense to include the surrounding land in the landmark designation, given the definition of a “landmark” under the ordinance. I also wondered whether something like the construction of a fence or other new improvement on the land area around the building would trigger the need for a COA.

Chapter 38 contains the following definitions that are material to these questions:

Improvement means any building, structure, landscape feature, work of art or other object which is all or part of any physical betterment of real property.

Improvement parcel is a unit of property which includes any unimproved area of land that is considered a single entity for tax purposes.

Landmark means an improvement which has a special character or historic interest in showing the development, heritage or cultural character of the city, state or nation which has been designated as a landmark under this article. All mention of Landmark within this text is meant to mean “local landmark”.

These definitions indicate that a “landmark” is “an improvement.”

Section 38-34 (a) states as follows regarding designation of landmarks and or landmark sites: “The commission shall consider the following criteria in determining whether or not to recommend that the city council designate an improvement or improvement parcel as a landmark or landmark site.” This language suggests that an “improvement” or an “improvement

parcel” could be designated as a “landmark.” If that is what is wanted, it may be appropriate to modify the definition of “landmark” to say: “landmark means an improvement, an improvement parcel, or both which has a special character or historic interest in showing the development, heritage or cultural character of the city, state or nation which has been designated as a landmark under this article. All mention of Landmark within this text is meant to mean “local landmark”.

Finally, Section 38-36 (a) states as follows: “No person shall alter, reconstruct or permit any alteration or reconstruction *affecting the exterior of any landmark, or landmark site or property in a local historic district* unless the commission has approved a certificate of appropriateness (COA) for such work and unless so approved, the building inspector shall not issue a building permit for such work.” (emphasis added). Using the Power House as an example, if the owner chose to construct a fence on the land area, and the fence did not alter the building itself, one could argue that no certificate of appropriateness would be required. The use of the phrase “exterior of any landmark,” combined with the definition of “landmark” as an “improvement” would all support such an argument, because a fence that is entirely separate from the building would not constitute an alteration “affecting the exterior” of an improvement.

If the City wants to require a COA for alterations to the land area within an “improvement parcel” designatged as landmark, it may be appropriate to modify Section 38-36(a) to provide as follows: “No person shall alter, reconstruct or permit any alteration or reconstruction *affecting the exterior of any improvement designated as a landmark, or affecting any improvement parcel, landmark site or property in a local historic district* unless the commission has approved a certificate of appropriateness (COA) for such work and unless so approved, the building inspector shall not issue a building permit for such work.”

Please let me know if you have any questions, or if I can provide any further assistance with this matter.

Cc: Mayor Tim Swadley

Michael Stacey, Zoning Administrator

Rodney Scheel, Planning Director

CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL	
Amending Section 38-32 and 38-36(a) of the Historic Preservation Ordinance – Chapter 38 of the Stoughton Municipal Code	
Committee Action: Landmarks Commission recommends approval - 0	
Fiscal Impact: None	
File Number: O - - 2020	Date Introduced:

The Common Council of the City of Stoughton do ordain as follows:

Sec. 38-32. - Definitions.

Improvement means any building, structure, landscape feature, work of art or other object, which is all or part of any physical betterment of real property.

Improvement parcel is a unit of property which includes any unimproved area of land that is considered a single entity for tax purposes.

Landmark means an improvement, an improvement parcel, or both, which has a special character or historic interest in showing the development, heritage or cultural character of the city, state or nation, which has been designated as a landmark under this article. All mention of Landmark within this text is meant to mean “local landmark”.

Landmark site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure

Sec. 38-36. - Regulation of construction and alteration.

- (a) No person shall alter, reconstruct or permit any alteration or reconstruction affecting the exterior of any improvement designated as a landmark, or affecting any improvement parcel, landmark site or property in a local historic district unless the commission has approved a certificate of appropriateness (COA) for such work and unless so approved, the building inspector shall not issue a building permit for such work.

2. This ordinance shall be in full force and effect from and after its date of publication.

Dates

Council Adopted: _____

Mayor Approved: _____

Published: _____

Attest: _____

Tim Swadley, Mayor

Holly Licht, City Clerk