

OFFICIAL NOTICE AND AGENDA

The City of Stoughton will hold a **Regular** meeting of the **Landmarks Commission** on **Thursday, March 12, 2015, at 7:00 pm** in the **Hall of Fame Room, Lower Level, City Hall, 381 E. Main Street, Stoughton, WI.**

AGENDA:

1. Call to order.
2. Consider approval of the Landmarks Commission meeting minutes of January 8, 2015 and February 12, 2015.
3. Certificate of Appropriateness (COA) request by Elizabeth Cwik to install exterior lighting at 515 E. Main Street (Turner and Atkinson Tobacco Warehouse).
4. Certificate of Appropriateness (COA) request by Ben and Emily Thompson to structurally rehabilitate the rear porch at 620 S. Prairie Street (Martin House).
5. Status Updates:
 - A. Power Plant
 - B. Linderud Exhibit
 - C. 1892 High School
6. Discuss Historic Preservation Ordinance.
7. Discuss Historic Preservation Award.
8. Discuss suggestions for a new landmarks commission member.
9. Commission Reports/Calendar.
10. Future agenda items.
11. Adjournment.

3/3/15mps

COMMISSIONERS:

Peggy Veregin, Chair
Alan Hedstrom, Vice-Chair

Michael Engelberger (Council Rep)
Andrea Rainka, Secretary

Connie Kraus
Greg Pigarelli

EMAIL NOTICES:

Art Wendt
Council Members
DErickson@madison.com
Ben and Emily Thompson

Receptionist
Matt Dregne, City Attorney
Stephen Mar-Pohl

Stoughton Hub
Leadership Team
Elizabeth Cwik

Note: For security reasons, the front door of City Hall will be locked after 4:30 P.M. (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 8, 2015 – 7:00 p.m.

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

Members Present: Peggy Veregin, Chair; Alan Hedstrom, Vice-Chair; Andrea Rainka, Secretary; Connie Kraus, and Greg Pigarelli

Absent and Excused: Michael Engelberger

Staff: Michael Stacey, Zoning Administrator

Guests: None

1. **Call to order.** Peggy called the meeting to order at 7:04 pm.
2. **Consider approval of the Landmarks Commission meeting minutes of December 11, 2014 and December 23, 2014.**
Motion by **Alan** to approve the minutes as presented, 2nd by **Andrea**. Motion carried 5 – 0.
3. **Status Updates:**
 - A. **Power Plant**
Due to weather, Stephen Mar-Pohl did not make it to the meeting. No further discussion.
 - B. **Asbjornson House**
The commission discussed:
 - photos that have been taken of the house;
 - historical inventory record;
 - salvage of materials;
 - Installing a memorial such as a corner monument made out of brick from the house.Peggy plans to email Kris Krentz with follow-up questions.
 - C. **Linderud Exhibit**
Connie emailed all local churches to let them know the exhibit features old churches of Stoughton. There were no responses.
 - D. **1892 High School**
Peggy sent an introductory letter to the Stoughton Area School District Superintendent and the School Board President to generate future discussions about finding an active use for the 1892 High School.
4. **Discuss Historic Preservation Ordinance.**
The commission is going to look through the ordinance once more. A public hearing is likely going to be in March.
5. **Commission Reports/Calendar.**
Peggy stated the historic preservation nominations are now open and due by March 27, 2015. Michael S. will make copies available at the Library and City Hall. Michael will also provide a link on the city website to the PDF document.

Peggy provided calendar updates.

Peggy stated the CLG report has been sent to the State.

Alan and Peggy have ideas for an additional landmarks commissioner and will make contacts.

6. Future agenda items.

Strategic planning meeting regarding a CLG grant application.

7. Adjournment.

Motion by Alan to adjourn at 8:10 pm, 2nd by Connie. Motion carried 5 – 0.

Landmarks Commission Meeting Minutes

Thursday, February 12, 2015 – 7:00 p.m.

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

MEETING CANCELLED FOR LACK OF A QUORUM.

City of Stoughton Certificate of Appropriateness

Definition and Procedure

Any plans to alter or reconstruct the exterior of any locally designed landmark or landmark site, and interior work that may impact exterior features, must be approved by the Landmarks Commission before a building permit can be issued. The Commission will conduct a design review and issue a Certificate of Appropriateness (COA) to indicate that the proposed alterations have been approved.

The application form for the COA can be obtained from the Zoning Administrator along with the request for a building permit. When completed, the application form must contain all pertinent information concerning any alteration or reconstruction of a landmark or landmark site. This information will be needed for the Landmarks Commission to evaluate the impact of the proposed work on the landmark and the surrounding area. In order to expedite the evaluation process, please fill out the form completely and accurately, and include drawings and photographs. The completed form should be submitted to the Zoning Administrator at Stoughton City Hall, 381 E. Main Street.

The Commission shall have up to 60 days to approve the application and return the COA to the Zoning Administrator with permission to issue the building permit. If the Commission determines that the request does not meet the guidelines of city ordinance 12.135 (6)(c)(1-2), it shall inform the Zoning Administrator to deny the issuance of the permit. The Commission shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain approval within the guidelines of the ordinance. Review of denial of permits shall lie to the City Council pursuant to chapter 2, article V and statute.

Certificate of Appropriateness Application Instructions

To receive a Certificate of Appropriateness (COA) from the Stoughton Landmarks Commission, it is necessary for the applicant to complete a COA application form and return it with copies of supplemental materials as appropriate to further describe the proposed project. Supplemental materials include photographs, plans, drawings and specifications. A complete application is to be filed with the Zoning Administrator for the City of Stoughton at least two weeks before the regularly scheduled Commission meeting at which the application and design is to be reviewed. Generally, supplemental materials submitted with the application are not returnable, with the exception of historic photographs, etchings, lithographs or original blueprints and drawings.

1. Name of Property

Provide the name given to the property when it was designated, if you know it. Give the full address of the property. If located in a local historic district, give the name by which the district was designated.

2. Name and Mailing Address of Property Owner

Provide the name, address, and telephone number of the property owner. If there are multiple owners of the property, include all parties using a separate sheet of paper if necessary. Provide the name, address and telephone number of applicants, if different from the owner.

3. Attachments

Provide supplemental materials including current photographs of the property, photographs of existing conditions at the location of the building where the work is to occur, a copy of the plans and drawings and written specifications of the proposed project. To supplement your application and to help clarify the scope of work you may also submit material samples, site plans, sketches, historical documentation, or anything else that will illustrate to the Commission and staff the effect of the proposed project.

4. Description of Proposed Project

Complete a separate description for each exterior architectural feature affected, such as windows, roof, porch(es), cornice, or masonry. Briefly describe the feature and give the approximate date it was constructed, if known. Describe in detail the proposed work and how it will impact the existing feature. Use as many pages as necessary to cover all aspects of the project. If more space is needed, continue on a separate page. Key work items to accompanying drawings or photographs.

5. Signature of Applicant

All applications must be signed and dated.

If you have questions or need assistance in completing this form, please contact the Zoning Administrator at Stoughton City Hall (608) 646-0421.

City of Stoughton Certificate of Appropriateness

Application Form

1. **Name of Property:** Turner and Atkinson Tobacco Warehouse

Address of Property: 515 E. Main St.

Name of historic district in which property is located: _____

2. Owner & Applicant Information

Owner Name: Ken Wahlin

Street Address: 416 S. Academy St.

City: Stoughton State: WI Zip: 53589

Daytime Phone, including Area Code: _____

Applicant (if different from owner): Elizabeth Cwik, AIA BWZ Architects

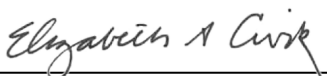
Applicant's Daytime Phone, including Area Code: 608-831-2900

3. Attachments. The following information is enclosed:

- X Photographs
- X Sketches, elevation drawings
- X Plan drawings
- X Site plan showing relative location of adjoining buildings, if located within a Historic
- Specifications
- Other (describe)

4. Description of Proposed Project (on next page)

5. Signature of Applicant

Signed:  Date: February 24, 2015

Printed: Elizabeth A. Cwik, AIA

Return To: Zoning Administrator, Stoughton City Hall, 381 E. Main Street

Description of Proposed Project
(attach additional sheets as necessary)

Architectural Feature: Existing masonry facade.

Approximate date of feature: 1885

Describe existing feature: Masonry facade + existing entry doors.

Describe proposed work, materials to be used and impact to existing feature:

New exterior lighting to be added at entry doors (period appropriate
porcelain enamel wall-mounted goose neck LED light fixtures).

Photograph No. 1 Drawing No. A5

Architectural Feature: _____

Approximate date of feature: _____

Describe existing feature: _____

Describe proposed work, materials to be used and impact to existing feature:

Photograph No. _____ Drawing No. _____

Goodrich® Wilcox Porcelain Gooseneck Light



16" Wilcox, 150-Black | G22 Gooseneck Arm, 110-Black PTMP
Click to enlarge



CODE: BLE-G-DBW

\$238.00



(hover over images to learn more)

Shade Size:	8" Shade
Finishes (?):	150-Black
Gooseneck Arms (?):	G1 Straight Arm (+\$79.00)
Gooseneck Arm Finish:	980-Brushed Aluminum
Wire Cage:	None
Guard & Glass:	None
Cage or Guard Finish:	N/A-Not Applicable
Dusk-to-Dawn Photocell (?):	None
Socket Type (?):	Standard Medium Base E26 Socket

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-

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-

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[SPECIFICATION SHEET](#) [SEND TO FRIEND](#)

Finish Chart / Features

Porcelain Finishes:	Shiny, durable colors for inside or out that will never fade or corrode.	Click to View
Gooseneck Arms:	Dozens of styles, projections, designs and angles to choose from	Click to View
Wire Cage :	Add vintage flavor to any shade with a wire cage	Click to View
Guard & Glass :	Protect your bulb and add vintage style and color	Click to View
Dusk-to-Dawn Photocell:	Turns your fixture on at dusk and off at dawn!	Click to View

Product Details



Form follows function with the Goodrich® Wilcox Porcelain Gooseneck Light! This stunning RLM warehouse shade features modern, deep-bowl styling with a focused beam of light. Now available in five shade sizes, the Wilcox is an authentic porcelain enamel light that maintains its rich finish year after year with little

maintenance. The Wilcox's deep bowl shade is indicative of the deep bowl shades typically found in gas stations and warehouses, making this vintage lighting both fashionable and dependable.

This deep bowl wall light is reminiscent of the gas station lights of the early 20th century and is ideal for both residential and commercial lighting venues. Consider this American made light as a stylish vanity fixture or as an outdoor porch or deck light. [Read more >](#)

Shade Sizes:

- 08" Shade:** W 08" x H 8 ¼"
- 10" Shade:** W 10" x H 9"
- 12" Shade:** W 12" x H 9 ¾"
- 14" Shade:** W 14" x H 11 ¼"
- 16" Shade:** W 16" x H 12 ¾"

Additional Information:

- **Finish:** Multiple (See Finish Options)
- **Mounting:** Multiple (See Gooseneck Options)
- **Backplate Dimensions:** 4 ¾" Diameter
- **Max Wattage Per Socket:**
 - 200W Standard Incandescent | 100W with Cast Guard Addition
 - 23W GU24 Bi-Pin CFL (equivalent to 100W Standard Inc.) | 18W with Cast Guard Addition (equivalent to 75W Standard Inc.)
 - Bulb Not Included
- **Number of Sockets:** 1
- **Use:** CSA Listed for Wet Locations
- **Manufactured in the U.S.A.** This light fixture is made-to-order to suit your custom specifications. Learn more about the process [here](#).
- **Note:** Due to the hand spun and hand applied porcelain enamel process, slight blemishes and character are common.

Reviews

Customer Reviews

Average rating



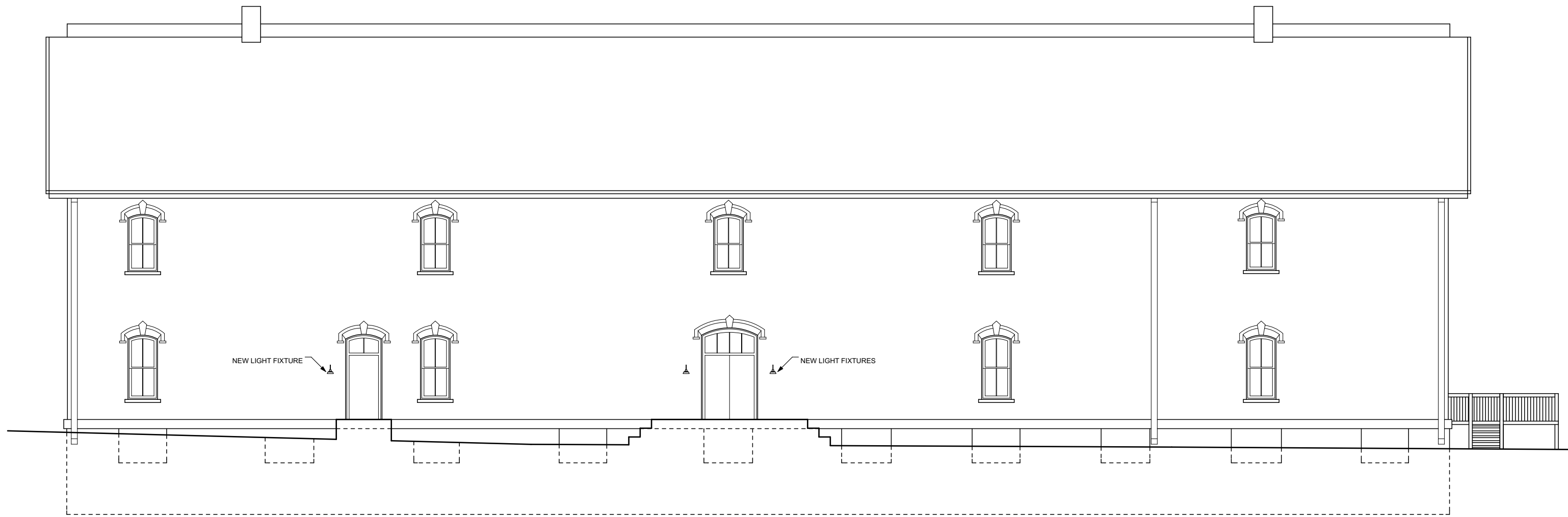
0 reviews

WRITE YOUR OWN REVIEW

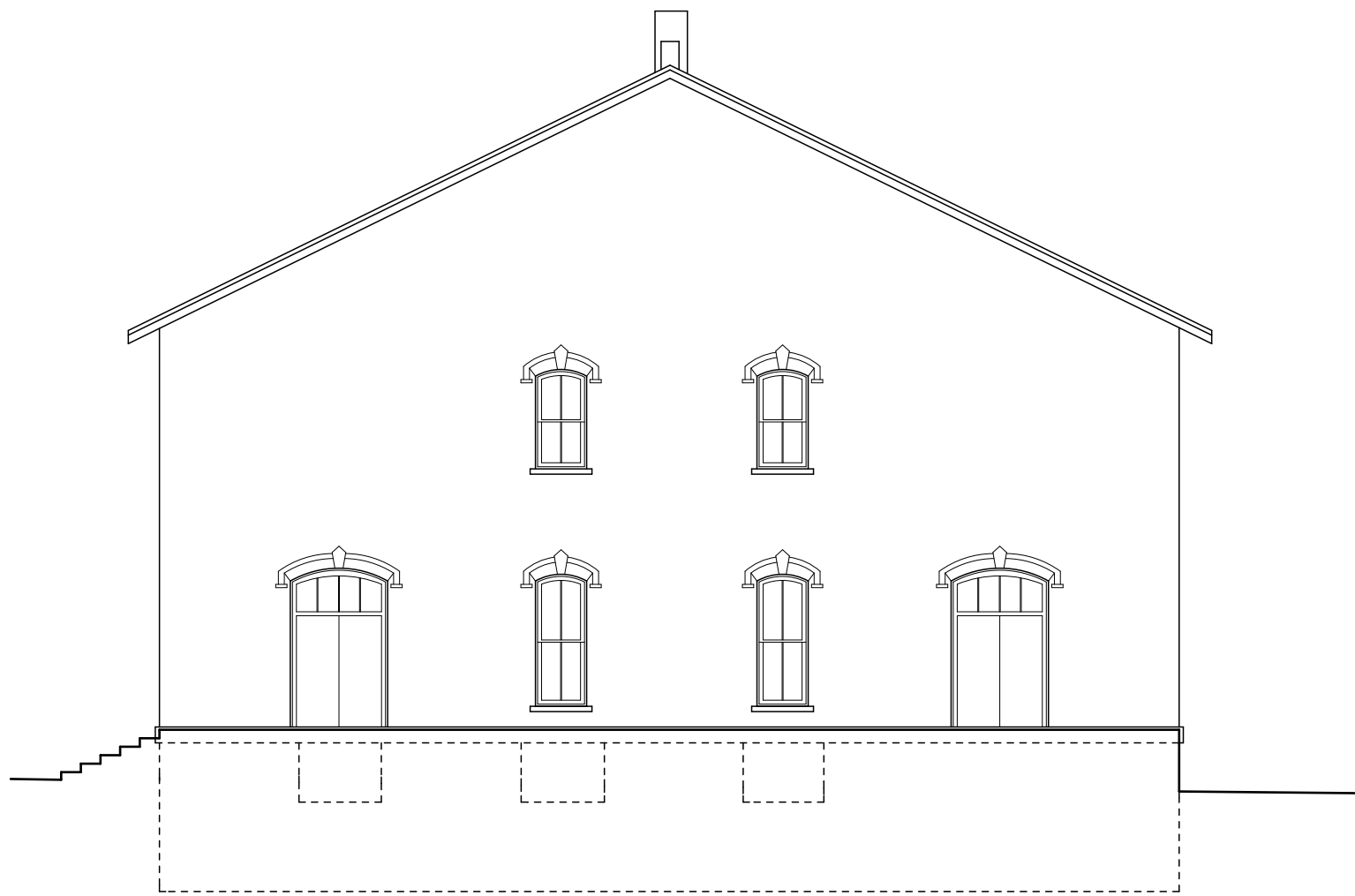
Sort by

Newest first

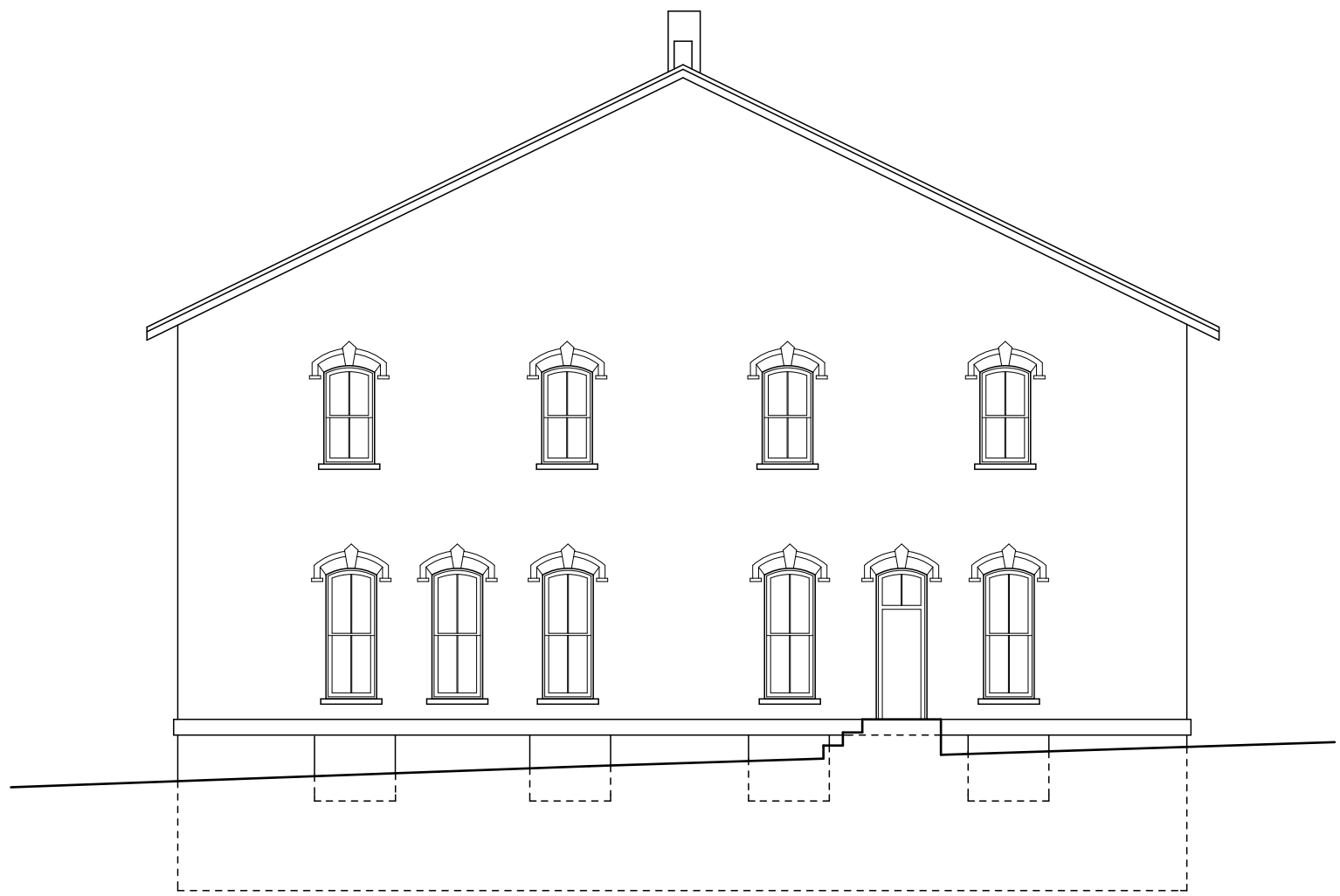
Click button to post comments.



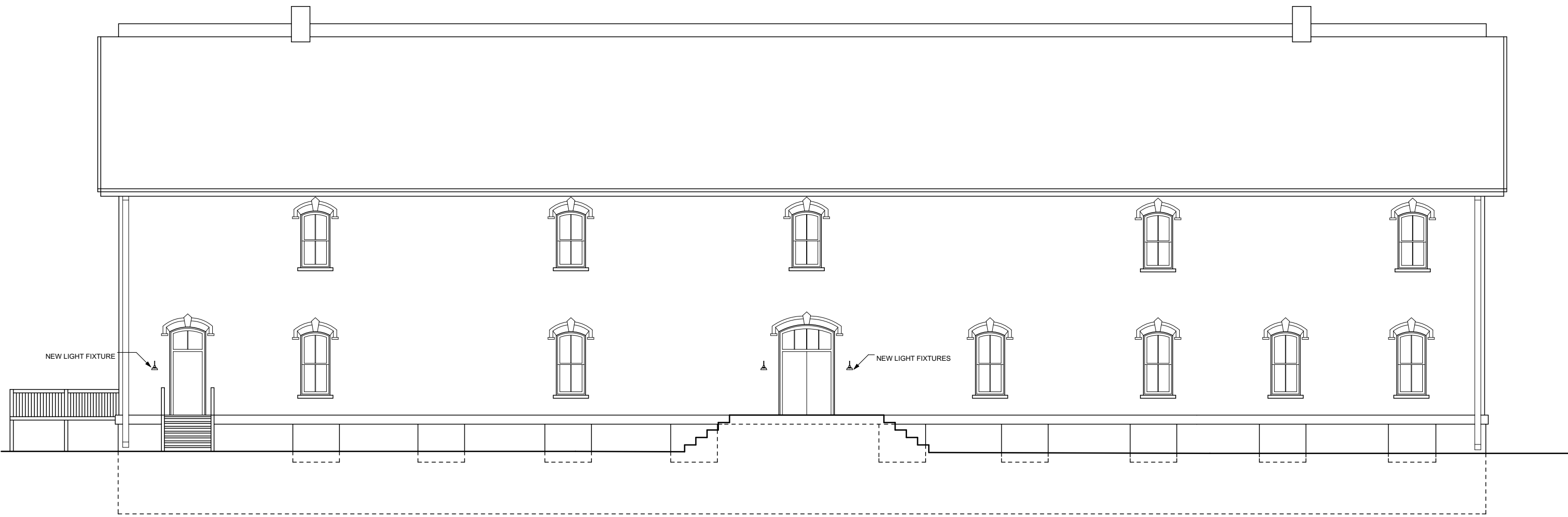
1 SOUTH ELEVATION
A-5 SCALE: 3/32" = 1'-0" 0 8' 16' 24'



2 EAST ELEVATION
A-5 SCALE: 3/32" = 1'-0" 0 8' 16' 24'



3 WEST ELEVATION
A-5 SCALE: 3/32" = 1'-0" 0 8' 16' 24'



4 NORTH ELEVATION
A-5 SCALE: 3/32" = 1'-0" 0 8' 16' 24'

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NAMES ▸

Historic Name: **Turner and Atkinson Tobacco Warehouse**Other Name: **NELSON FILTER**Contributing: **Yes**Reference Number: **5895**

PROPERTY LOCATION ▸

Location (Address): **100 S 7TH ST (AKA 515 E MAIN ST)**County: **Dane**City: **Stoughton**

Township/Village:

Unincorporated Community:

Town:

Range:

Direction:

Section:

Quarter Section:

Quarter/Quarter Section:

PROPERTY FEATURES ▸

Year Built: **1885**

Additions:

Survey Date: **1990**Survey Date: **2013**Historic Use: **warehouse**Architectural Style: **Italianate**Property Type: **Building**

Structural System:

Wall Material: **Cream Brick**

Architect:

Other Buildings On Site:

Demolished?: **No**

RESOURCE DESCRIPTIONS

[About the National Register and State Register of Historic Places](#)

All Wisconsin National Register of Historic Places listings are searchable on our website.

[About Our Wisconsin Architecture and History Inventory \(AHI\)](#)

Search digital records on more than 133,000 historic buildings, structures and objects throughout Wisconsin.

RELATED ARTICLES

[Is Your Property Eligible for the National Register or State Register of Historic Places?](#)

Eligible properties must retain the essential physical appearance of the period in which they were important, and meet one of four criteria.

Demolished Date:

DESIGNATIONS ►

National/State Register Listing Name:

National Register Listing Date:

State Register Listing Date:

National Register Multiple Property Name:

NOTES ►

Additional Information: A 'site file' exists for this property. It contains additional information such as correspondence, newspaper clippings, or historical information. It is a public record and may be viewed in person at the Wisconsin Historical Society, Division of Historic Preservation.

This two story cream brick commercial vernacular styled tobacco warehouse sits only a sidewalk width away from Main and Seventh Streets. Using first floor fenestration as a guide, the warehouse is six bays wide by six bays deep, and rests on a rectangular shaped plan configuration. The gabled main elevation faces west onto Seventh Street. The tall windows are capped with shouldered segmental arch lintels and have protruding stone sills. Access to the main entrance is provided by wood stairs and landing. Two stone chimneys pierce the asphalt shingled gable roof. In the gable, round windows with round arch lintes provide unusual decoration, as does brick polychromy. This building appears to have experienced few changes since its construction. "Cullman Bros. Cigar Leaf/Carbon Chemicals" is painted on the side wall in faded letters. The Turner and Atkinson Warehouse building is in good condition.

Architectural Significance:

One of three tobacco warehouses remaining on East Main Street, this warehouse is larger than its neighbors. Use of keystones in the lintels provides visual interest. Located in the center of the concentration of transportation/agri-industrial-related buildings on East Main Street, it provides visual and historic definition to this area. Its massive scale reflects the importance of the tobacco element of Commerce Theme for Stoughton.

Historical Background:

Constructed in 1885 for Turner & Atkinson Tobacco, the building remains largely unchanged. (See Bib. Ref. B). Different enterprises have used the building, including Cullman's and Rosenblum in 1892, Townsend & McCarthy and Cullman Bros. sharing the building in 1898, Henry Miller and Townsend & McCarthy sharing the building in 1904, and Cullman Bros. and Hanson & McCarthy sharing the building in 1912. (See Bib. Ref. B). Albert Schrode was the manager for Cullman Brothers in 1915. (See Bib. Ref. A). Cullman Brothers and Halverson & Bitters shared the building in 1926. (See Bib. Ref. B). George Holtan was the manager for Halverson and Bitters in 1928. (See Bib. Ref. C). Halverson and Bitters was comprised of Samuel Halverson and Mrs. George (Mary) Bitters. (See Bib. Ref. C).

Historical Significance:

The dependance of the tobacco industry on the local railroad is clear from the proximity of the warehouse to the tracks and freight depot. The success of the tobacco industry is reflected in the architectural details and massive scale of this warehouse. The property represents the Wholesale Trade element of the Commerce Theme for Stoughton.

August 2013: Doors and windows restored across facade; new front deck added.

Bibliographic References: A. Farrell-McCoy Directory Co. Stoughton Directory 1915-1916. Rockford, Illinois: Rockford Printing Co., 1915. B. Sanborn-Perris Insurance Maps: 1884, 1887, 1892, 1889, 1904, 1912, 1926, 1926-43. C. W. H. Lighfoot Co.'s Dane County, Wis., Directory 1928-29. Peoria, Illinois: W. H. Lightfoot Co., 1928. D. WISCONSIN STATE JOURNAL 5/12/1994. Stoughton Courier Hub 11/5/1998.

RECORD LOCATION ►

Wisconsin Architecture and History Inventory, Division of Historic Preservation-Public History, Wisconsin Historical Society, Madison, Wisconsin

Have Questions?

If you didn't find the record you were looking for or have other questions about historic preservation, please email us and we can help:

joe.derose@wisconsinhistory.org

If you have an update, correction or addition to a record, please include this in your message:

- AHI number
- Information to be added or changed
- Source information

Note: When providing a historical fact, such as the story of a historic event or the name of an architect, be sure to list your sources. We will only create or update a property record if we can verify a submission is factual and accurate.

How to Cite

For the purposes of a bibliography entry or footnote, follow this model:

Wisconsin Architecture and History Inventory Citation

Wisconsin Historical Society, Wisconsin Architecture and History Inventory, "Historic Name", "Town", "County", "State", "Reference Number".

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**City of Stoughton Certificate of Appropriateness
Application Form**

1. Name of Property: Martin House
Address of Property: 620 S. Prairie St.
Name of historic district in which property is located: Southwest Side

2. Owner & Applicant Information

Owner Name: Ben & Emily Thompson
Street Address: 620 S. Prairie St.
City: Stoughton State: MA Zip: 53589
Daytime Phone, including Area Code:
608-886-0382 thompsonben@gmail.com
Applicant (if different from owner):

Applicant's Daytime Phone, including Area Code: 608-886-0382

3. Attachments. The following information is enclosed:

- ☒ Photographs
☐ Sketches, elevation drawings
☐ Plan drawings
☐ Site plan showing relative location of adjoining buildings, if located within a Historic
☐ Specifications
☐ Other (describe)

4. Description of Proposed Project (on next page)

5. Signature of Applicant

Signed: Benjamin Thompson Date: 2/27/15

Printed: Benjamin P. Thompson

Return To: Zoning Administrator, Stoughton City Hall, 381 E. Main Street

Description of Proposed Project

(attach additional sheets as necessary)

Architectural Feature: Back-door porch

Approximate date of feature: Unknown

Describe existing feature: Approximately 13' x 6' porch on north side of house - see Picture 1

Describe proposed work, materials to be used and impact to existing feature: Jack Northwest column

(See Pictures 2 + 3) to match height of Northeast column. Replace rotten/deteriorated substructure as needed. Replace deteriorated floorboards as needed. Replace deteriorated roof members and shingles as needed. Replace porch "skirt" (see pictures 3 + 4).

All sound materials will remain in place - deteriorated components to be replaced in-kind. See below

Photograph No. _____ Drawing No. _____

Architectural Feature: _____

Approximate date of feature: _____

Describe existing feature: _____

Describe proposed work, materials to be used and impact to existing feature:

Photograph No. _____ Drawing No. _____

* No significant aesthetic changes are anticipated. Focus of the project will be structural rehabilitation.



Picture 1 – Porch overview



Picture 2 – West Elevation



Picture 3 – West Elevation (Detail)



Picture 4 – East Elevation



Picture 5 – Railing Detachment Detail



Picture 6 – Roof Shimming Detail

DRAFT AMENDMENTS

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

ORDINANCE OF THE COMMON COUNCIL	
Amending Multiple Sections 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-2-2015	Date Introduced: , 2015 First Reading , 2015 Second Reading

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

Chapter 38

HISTORIC PRESERVATION

Article II Landmarks Preservation Commission

Sec. 38-31. - Intent.

Sec. 38-32. - Definitions.

Sec. 38-33. - Composition and terms.

Sec. 38-34. – Landmark and landmark site designation criteria.

Sec. 38-35. - Powers and duties.

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

Sec. 38-37. - Regulation of demolition.

Sec. 38-38. - Recognition of landmarks, landmark sites and historic districts.

Sec. 38-39. - Rescission of landmark designation.

Sec. 38-40. - Procedures.

Sec. 38-41. - Historic districts.

Sec. 38-42. - Maintenance of improvement on landmark site or within historic district.

Sec.38-43. - Penalties for violations.

Sec. 38-~~44~~3. - Commission records.

Sec. 38-31. - Intent.

The protection, enhancement, perpetuation and use of improvements and districts of special character or historical interest is a public necessity required in the interest of the health, prosperity, safety and welfare of the people of the city. This article is intended to:

- (1) Accomplish the protection, enhancement and perpetuation of such improvements and districts which reflect elements of the city's cultural, social, economic, political and architectural history.
- (2) Safeguard the city's historic and cultural heritage, as embodied in our landmarks and historic districts.
- (3) Stabilize and improve property values.
- (4) Foster civic pride in the beauty and accomplishments of the past.
- (5) Protect and enhance the city's attractions to residents, tourists and visitors.
- (6) Support the business, industry and economy of the city.
- (7) Promote the use of landmarks and historic districts for the education, aesthetic pleasure and welfare of the city's people.

Sec. 38-32. - Definitions.

As used in this article, unless the context clearly requires otherwise, the words defined in this section have the following meanings:

Alteration is any construction on or change to the exterior of a building, structure, object, or site including, but not limited to, the changing of foundation, wall or roofing and the changing, eliminating or adding of doors, windows, steps, railings, porches, balconies, signs or other ornamentation, new construction or relocation of any property, structure or object, or any part of a property, structure or object. Ordinary maintenance and repairs shall not be considered an alteration.

Certificate of appropriateness (COA) is a document that describes exterior repair or alteration to a landmark property or interior repair or alteration that affects an exterior feature. Approval of the COA by the Landmarks Commission is required prior to obtaining a building permit and commencement of work.

Commission means the landmarks preservation commission created by this article.

Contributing property is any building, structure or object which adds to the historical integrity or architectural qualities that make a historic district, listed locally or federally, significant.

Demolition is any act that destroys in whole or in part a building, structure, object or site.

Historic district (local) means an area designated by the commission which contains one or more landmarks or landmark sites, as well as those abutting improvement parcels which the commission determines should fall within the provisions of this article to ensure that their appearance and development is harmonious with the abutting landmarks or landmark sites.

Historic downtown design guidelines guide the renovation and rehabilitation of commercial buildings on Main Street.

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* means any parcel of property containing thereon an improvement which is treated as a single entity for the purpose of levying real estate taxes.~~

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".

Landmark site means a parcel of land having historic significance due to its value in tracing the prehistoric activities of Native Americans or is the location of an in-locating a historic event. ~~which occurred thereon which has been designated as a landmark site under this article.~~

Ordinary maintenance and repairs is work that corrects any deterioration or damage to a building or structure in order to restore it to its condition prior to the deterioration or damage. The work does not involve a change in the design, material, or outer appearance of the building or structure.

Sec. 38-33. - Composition and terms.

The commission shall be composed of ~~nine~~ seven persons competent and informed in the historical, architectural and cultural traditions of the city, to be appointed by the mayor subject to city council confirmation by majority vote. ~~One of the new commissioners shall be appointed for an initial two-year term and the other commissioner shall be appointed for an initial three-year term.~~ All commission members, ~~including the additional two commissioners,~~ shall may be appointed for three years as terms expire. Commission members may be appointed to successive terms. In addition, the ~~building inspector~~ zoning administrator shall be an ad hoc member of the commission and shall not be entitled to a vote. If any vacancy occurs, the mayor shall appoint a person subject to the city council confirmation for the unexpired term. The commission may suggest a candidate to the Mayor for appointment. No compensation shall be paid to commission members except for expenses necessary in carrying out their duties. The commission shall annually select from its members a chair, vice-chair and secretary and shall fill vacancies in such offices.

Sec. 38-34. - Landmark and landmark site designation criteria.

- (a) 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:
 - (1) Whether it exemplifies or reflects the cultural, political, economic or social history of the city, state or nation.

- (2) Whether it is identified with important historic or prehistoric persons or events in community, state or national history.
 - (3) Whether it embodies distinguishing characteristics or an architectural type specimen, valuable for a study of a period, style, construction method or indigenous materials or craftsmanship.
 - (4) Whether it is representative of the notable work of a master builder, engineer or architect.
 - (5) Whether it is a unique and irreplaceable asset to its neighborhood and the city.
 - (6) Whether it provides an example of the physical surroundings in which past generations lived.
- (b) The commission may adopt specific written guidelines for designation of landmarks, landmark sites and historic districts providing such conform to the provisions of this article.

Sec. 38-35. - Powers and duties.

- (a) The commission may, subject to section 38-36, recommend that the city council designate landmarks, landmark sites and historic districts within the city, based upon the criteria of section 38-34. Once so designated, such landmarks, landmark sites and historic districts shall be subject to all the provisions of this article.
- (b) The commission may regulate, approve or deny proposed changes or alterations to landmark properties in accordance with section 38-36.
- (~~b~~c) The commission shall cooperate with the state liaison officer and the governor's liaison committee for the National Register of Historic Places of the United States National Park Service in trying to include city landmarks or landmark sites as national landmarks or landmark sites in the ~~Federal Register~~ National Register of Historic Places.
- (~~e~~d) The commission shall work for the continuing education of the citizens of the city about the historic heritage of the city.
- (~~e~~e) The commission shall actively work for the passage of legislation which would permit the granting of full or partial tax exemptions to properties designated under this article in order to encourage owners to assist in carrying out the intent of this article.
- (~~e~~f) The commission may, as it deems advisable, solicit and receive funds for the purpose of landmarks preservation in the city. Any funds so received shall be placed in a special city account for such purpose.

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

- (a) Any person filing an application for a building permit involving property which has been designated as a landmark or landmark site shall also file such application in the form of a Certificate of Appropriateness (COA) with the commission, for approval.
- (b) No person shall alter, reconstruct or permit any alteration or reconstruction affecting the exterior of any landmark or landmark site unless the commission has approved such

work and unless so approved, the building inspector shall not issue a building permit for such work.

- (c) Upon the filing of an application, the commission shall determine whether or not:
 - (1) The proposed work would destroy or affect in a deleterious way any important feature of the landmark or landmark site; and
 - (2) The proposed work is not appropriate according to the Secretary of the Interior's Standards for the Treatment of Historic Properties; and
 - (23) The exterior of any proposed improvement would not harmonize with the external appearance of neighboring improvements on such site.
- (d) If the commission decides ~~both the~~ questions in subsection (c) of this section in the negative, it shall approve the work and issue a COA. Its decision shall be made within 60 days of filing. If the commission decides ~~either any~~ question in the affirmative, it shall inform the building inspector to deny issuance of the permit. Review of denial of permits shall lie to the city council pursuant to chapter 2, article V, and statute. In addition, if the commission fails to approve an application, it shall, at the request of the applicant, cooperate and work with the applicant in an attempt to obtain approval within the guidelines of this article.

Sec. 38-37. - Regulation of demolition.

- (a) No person shall demolish all or part of a landmark or improvement on a landmark site, unless the commission has approved such work. Unless the commission has approved the work, the building inspector shall not issue a building permit for such work.
- (b) When a person applies for a permit to demolish such property, such application shall also be filed with the commission.
- (c) Upon the filing of an application, the commission may refuse to approve the work for up to ten months from the date of filing, during which time the commission and the applicant shall undertake serious, continuing discussions to try to find a method to save such property. During such time, the applicant and the commission shall cooperate to try to avoid demolition of the property. At the end of the ten months, if no mutually agreeable method of saving the property bearing a reasonable prospect of eventual success is underway, or if no formal application for funds from any governmental unit or nonprofit organization to preserve the property is pending, the building inspector may issue the permit without the approval of the commission.
- (d) The Commission shall be informed of all demolition permit requests and may request consultation.

Sec. 38-38. - Recognition of landmarks, landmark sites and historic districts.

After a landmark, landmark site or historic district has been designated in accordance with sections 38-34 and 38-36, the commission shall cause to be prepared and erected on such property at city expense suitable plaques or signs recognizing the landmark. Such plaques shall

be placed for ease of pedestrian visibility. The plaques shall contain all information deemed appropriate for the landmark by the commission.

Sec. 38-39. - Rescission of landmark designation.

- (a) Designation may be rescinded upon petition to the commission and compliance with the procedures as follows:
 - (1) Petitions for rescission may be submitted to the landmarks commission for consideration and public hearing.
 - (2) When considering rescission of a landmark designation, the commission shall consider whether the landmark or district no longer meets the criteria for designation.
 - (3) The commission shall make a recommendation to the City Council including a report regarding whether the landmark or district does or does not continue to retain significance and integrity.
 - (4) The Council shall make its decision only after the above procedures have been followed.
 - (5) The Council shall rescind a designation only upon a finding that the designated landmark or district no longer meets the criteria for designation.
- ~~(a) If the person listed as owner of record of a landmark site at the time of its designation is unable to find a buyer willing to preserve the landmark or landmark site, such person may petition the commission for a rescission of its designation. Such petition shall contain a statement under oath that the person has made reasonable attempts in good faith to find and attract such a buyer, as well as such further information deemed reasonably necessary by the commission for the purpose of evaluating the petition.~~
- ~~(b) Following the filing of such petition, the owner and the commission shall work together in good faith for up to six months to try to locate a buyer for the subject property who is willing to comply with the designation. If at the end of the six months no such buyer can be found and if the owner still desires to obtain such rescission, the commission shall rescind its designation of the subject property.~~
- ~~(eb) In the event of rescission, the commission shall notify the city clerk, building inspector and assessor of the rescission and shall cause the rescission to be recorded at its expense in the county register of deeds.~~
- ~~(ec) Following any such rescission, the commission may not redesignate the subject property as a landmark or landmark site for at least five years from the date of rescission.~~

Sec. 38-40. - Procedures.

- (a) Before establishing any landmark or landmark site, the commission shall hold a public hearing thereon after giving at least ten days written notice of such hearing and appeal procedures to the owners and occupants of the affected premises and the owners of land located within 200 feet of the affected property. Notice of such hearing shall also be published as a class 1 notice under the statute. The commission shall also notify the building inspector and the public works committee of the hearing and they may respond to the commission's proposed designation in writing or by appearance. At any time after the closing of the public hearing, the commission may recommend that the city council designate the affected property as either a landmark or landmark site. Upon the request of any aldermember or the owner of a landmark or landmark site, a public hearing shall be held by the city council before it votes on whether or not to establish the landmark or landmark site. Notice of such designation shall be given to the property owner, the city clerk, building inspector, assessor and the county register of deeds.
- (b) The owner of any landmark or landmark site may, following the designation of the property, enter into voluntary restrictive covenants on the property with the commission. The commission may assist the owner in preparing the covenants in the interest of preserving the landmark or landmark site and the owner shall record such covenant in the county register of deeds and notify the assessor thereof.

Sec. 38-41. - Historic districts.

- (a) The commission may select geographically defined areas for recommendation for designation by the city council as historic districts and shall prepare, in ordinance form, an historic preservation and land usage plan for each such area. The designation criteria for such historic district shall be in accordance with section 38-36. Each historic preservation and land usage plan shall contain specific guidelines for development, a list of appropriate and banned land usage and a statement of preservation objectives within the district.
- (b) The commission ~~together with the ordinance committee~~ shall hold a public hearing when considering the plan for a historic district. Notice of the time, place and purpose of such hearing shall be given by publication as a class 2 notice under statute in the official city newspaper. Such notice shall also be sent by the city clerk to the aldermember of the aldermanic ward in which the historic district is located as well as the owners of record, as listed by the assessor, of property located at least in part within the district at least ten days prior to the date of such hearing. Following the public hearing, the commission ~~and the ordinance committee~~ shall ~~by joint and combined vote~~ to recommend, reject or withhold action on the plan. The recommendation, if any, shall be forwarded to the city council for its action.
- (c) Upon receipt of such recommendation, the city council may by majority vote either designate or reject the historic district. The city council shall hold a public hearing prior to

its vote on designation at which all interested persons shall be given reasonable opportunity to be heard. Designation of the historic district shall constitute adoption of the plan in ordinance form prepared for that district and direct implementation of such plan.

- (d) Every person in charge of any landmark, landmark site or improvement ~~or improvement~~ ~~parcel~~ in a historic district shall conform to the guidelines for development of land usage for property within the district as well as any regulations developed under this article.
- (e) Following the designation of the historic district, the city council shall direct the plan commission to modify the official zoning map to show the property within the historic district as special overlay district H.
- (f) To the extent to which such is reasonably possible, the commission is empowered to invoke the provisions of sections 38-36 and 38-37, giving due consideration to the larger area of land involved and the degree to which the proposed change would materially affect the preservation objectives and design criteria of the historic preservation plan as duly adopted by the city council.

Sec. 38-42. - Maintenance of improvement on landmark site or within historic district.

Every person in charge of an improvement on a landmark site or within a historic district shall keep in good repair all of the exterior portions of such improvement to prevent it from becoming damaged or falling into a state of disrepair. This section shall be in addition to all other provisions of law relating to a premises repair.

Sec. 38-43. – Penalties for violations.

- (a) Failure to perform any action required by the Ordinance or performance of any act prohibited by the Ordinance shall constitute a violation. Any persons violating any provision of this ordinance shall be subject to a fine of up to five hundred dollars (\$500.00) for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate offense. Notice of violations shall be issued by the building inspector.
- (b) Additionally, the commission may seek reversal of prohibited work without regard to economic hardship. Procedures for the reversal of prohibited work shall be outlined in a COA approved by the commission.

Sec. 38-~~44~~3. - Commission records.

The city staff person for ~~secretary~~ of the commission shall cause to be prepared permanent public records of all actions taken by the commission in connection with landmarks, landmark sites and historic districts. Such records shall be maintained in such form as to permit ease of access and the ~~secretary~~ city staff person shall provide guidance for any person seeking to search its records. The commission Secretary is responsible for taking minutes and maintaining records if the city staff person is unable to attend a commission meeting.

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

Dates

Council Adopted: _____

Mayor Approved: _____

Published: _____

Attest: _____

Donna Olson, Mayor

Lana Kropf, City Clerk