

**OFFICIAL MINUTES
MUSCATINE HISTORIC PRESERVATION COMMISSION
FEBRUARY 20, 2008**

The Muscatine Historic Preservation Commission met in regular session on Wednesday, February 20, 2008 at 5:15 p.m. in the lower level conference room at the Muscatine City Hall, 215 Sycamore. Members present included Jerry Lange, Devin Pettit, Dan Clark, Mary Anne Kessler and Jane Reischauer. Others present included Planning, Zoning and Building Safety Director Steve Boka and Charles Potter, press. Staff present included Jim Rudisill.

The consent agenda, including the distributed agenda, the minutes of the regular January 16, 2008 meeting and the January 16 West Hill Public Hearing minutes, were reviewed. Kessler requested the word “endangered” in the last paragraph on the first page of the regular meeting minutes be deleted. Pettit also reported that a comment on brick streets, which was attributed to Mike Miller in the next to last paragraph on page one of the West Hill Public Hearing minutes, was actually made by Judd Anderson. Following the review, Lange moved to approve the consent agenda, with the corrections; Kessler seconded; motion passed, all ayes.

The commission’s first item was a discussion with Boka over several historic preservation issues in the community. Pettit identified three specific matters he wanted to address: moving away from the 1977 survey as the primary guide for identifying historic buildings in the community; discussion on the commission’s proposed Muscatine’s Endangered Historic Buildings List; and review of Boka’s efforts to develop a nuisance ordinance and its possible effects on the community’s historic resources.

Pettit said the primary reasons he favors dropping the 1977 survey book as a guide are because of inaccuracies and lack of detail. He explained the survey had only amounted to a “windshield survey”. On the other hand, the downtown and West Hill surveys that were completed by the commission were more complete and accurate and provide a better resource guide for the city, he added.

Boka agreed the newer surveys provided more and better information than the 1977 survey, which he said the council and staff had referenced only when necessary and as the “best available information”. With the development of the newer surveys, Boka agreed they should take precedence over the 1977 or other earlier surveys as a historic information resource. He said the surveys should be reviewed in a “pecking order” sequence with the most recent surveys being consulted first.

Pettit asked if there was any need to go to the council to formalize that process. Boka said that would be a commission decision, but as an alternative, the commission could directly work with the staff to assure the most recent survey information is utilized.

Clark asked if the 1977 survey had been used by the city to develop the community’s baseline of historic resources when it submitted its Certified Local Government (CLG) application.

Pettit and Rudisill said the 1974 Susan Appel report had apparently been used for that purpose.

Boka and the commission then discussed the Muscatine Endangered Historic Building List and the city’s Top Ten Demolition List. Boka said he was unsure how the commission intended to use its list, but he felt the lists addressed two separate issues. He explained the Top Ten List had been developed as a tool to create a final push to convince property owners to repair their buildings.

Boka said when a building is placed on the Top Ten List it does not mean demolition is imminent. There have been several cycles of the list since it was created, but only a few buildings have actually been demolished.

It's an effort to "wake up the owners," Boka explained, adding some buildings that are not on a list initially, might be added – and eventually rise to the top of the list – depending on issues that develop after that list cycle is developed.

Boka also said the city attempts to develop a restoration plan for buildings placed on the list, either with the current owner or through an interested third party. As long as progress on that plan is satisfactory, the city would not seek any demolition, he said.

Pettit acknowledged some buildings on the MHPC's Endangered Historic Building List could eventually be placed on the city's Top Ten Demolition List – possibly two or three are currently in that position.

The council and Boka next discussed his efforts to recover city expenses associated with maintaining abandoned or dilapidated properties within the city; and the possibility of the city acquiring title to any of those properties that would have historic significance.

Boka said he was working to develop an ordinance that would identify some abandoned or dilapidated properties as nuisances. The ordinance would include a process for the city to take title and transfer those properties to a third party. That group could then rehab the properties and eventually sell them to a private owner. This process would return properties to the tax roles and also allow the city to recoup costs it has assessed against the property for mowing, shoveling sidewalks and other maintenance activities.

Under the current system, those properties where taxes have not been paid can be sold by the county and the city is out its expenses. While the proposed nuisance ordinance is developed, Boka said he has asked the county to delay the sale of any properties on which the city has a lien attached.

Kessler asked if the city could force a sale of historic properties to someone who would rehab the property.

Boka said a legal opinion would be needed to answer that question. He also pointed out the state was currently reviewing its eminent domain process and new restrictions or other processes could affect the current status. He felt the city did have the right to enforce building codes under the current nuisance ordinance.

Pettit asked if a proposal by Michael Maharry, president of the Friends of Muscatine Historic Preservation, to create a city program that used false threats to force property owners to comply with historic preservation or other rehabilitation efforts, would be feasible. Boka said he was reluctant to create a program that might not be followed through with.

In response to a question from Pettit, Boka said the status of two historic buildings currently on the Top Ten Demolition List was either still pending or satisfactory. He said the owner of the Dunker Church property had made sufficient improvement in the building, although additional work was still needed. The council had directed Boka to delay any action on the other building.

Pettit also asked about 501 W. Fourth. Boka said the owner appears to have good intentions, but is failing to follow through with those plans. That property might be a good parcel to try and get a third party involved, Boka agreed. Clark however pointed out that in a similar situation, an owner decided against negotiations after a third party began

showing interest, apparently because the owner felt the increased interest could generate a higher selling price.

The commission continued to discuss the Endangered Buildings List after Boka left the meeting. Clark asked if the list should target endangered buildings or any historic resource. Reischauer explained she had included the Henry Zeidler house at 703 Chestnut in her list because successive owners have gradually reduced its architectural features. Although the house is not in any danger of demolition, the loss of the architectural features has reduced its historic significance, she explained.

The commission then reviewed the West Hill Historic District nomination. Rudisill said McCarley had reported the comments of the review committee dealt with typographical or other minor grammar or spelling errors that she would be correcting. The application will then be submitted to the National Park Service and the listing should be approved in April or May.

The Mulberry Avenue survey work was then discussed. Kessler reported she had information on all 18 homes and commitments from three of the owners for their abstracts or other information. Reischauer requested a copy of a sample report to review and reported she had started her ownership research. Pettit said he had completed three reports, but had not made any recent progress. He told commissioners that he had a list of building permits issued earlier that might help identify construction dates for some of the properties. Pettit also suggested the commissioners accept any offers of help that are made by homeowners or other interested individuals.

Pettit and Rudisill then provided a short update on the 2007 Annual Report. Rudisill said the state report had been filed, but a federal document was still being developed. Pettit said that document would update the number of historic buildings in the community. Since the Appel survey was used to establish the original baseline, it needed to be upgraded because of the more recent survey work. Pettit said he was reviewing the both earlier surveys to determine the number of buildings listed in them that were not part of the more recent survey work. He was also determining the number of demolished or altered buildings that should be removed. Other commissioners indicated they would also check in areas where Pettit was unfamiliar.

The next item discussed was the joint historic preservation month activities with the Friends of Muscatine Historic Preservation. Pettit said the presentation of awards would be made on May 3, with a tour of homes scheduled for May 4. Several building renovations have been identified for possible recognition. These include the Shamrock Hall (128 W. Second – Robert Martin) – façade renovation; Clark-Blackwell House (206 Cherry – Roy J. Carver III – copper gutter restoration); John & Susanne Sterneman House (207 Broadway – Michael Maharry & Shelly Mckillip – general restoration); Peter Musser House (501 E. Mississippi Drive – Scott & Anne Lesnet – copper flashing, simulated slate roof and general restoration); Greenwood Cemetery (1814 Lucas – City of Muscatine, Mayor Richard W. O'Brien – gravestone restoration); Hubble's (214 E. Second – David & Linda Bird – interior renovation; "Park Avenue Meat Market" (1518 E. Fifth – David Armstrong – general renovation; "Fred Heerd House ? (116 W. Eighth – Michael Tompkins – general renovation/restoration).

In addition to these building or site restorations, the commission also discussed recognizing the historic preservation efforts of John Stevens and his late wife Lorraine with a Lifetime Award.

Reischauer also reported the Friends were continuing to discuss procedures for the public to make nominations. Kessler said Maharry would try to put something on the community page. Clark and Kessler will also schedule time for Kessler to be a guest on Clark's weekly radio show.

The commission also requested Rudisill to search the commission's archives for any records identifying previous historic preservation award winners.

Pettit next reported on a possible joint meeting of the MHPC and the Louisa County Historic Preservation Commission. Frank Best, a member of the Louisa County group had suggested possibly holding an informal dinner meeting to discuss joint training/education programming or other efforts. A spring meeting had been suggested.

Pettit also reported that Maharry had expressed interest in a joint meeting with the Iowa City group to discuss activities.

There were no specific committee reports, although Rudisill provided the commission with a flyer on light pole banners. Boka had suggested the commission might want to consider historic district banners for the downtown.

Kessler also asked for clarification on what she should be doing to document historic buildings scheduled for demolition or facing other major alterations. Pettit said the committee should definitely be documenting demolitions. He also suggested the committee should begin documenting 501 W. 4th and 601 E. 6th.

In other business, Rudisill presented two Section 106 public notices, seeking any public comment on two projects. One is installation of a cell phone tower on Cedar Street, near the Grace Lutheran Church; and the second a renovation of the Muscatine Solid Waste Plant. Commission members agreed that neither appeared to affect any significant historic properties.

The meeting then adjourned at 6:55 p.m.

Respectfully submitted,

Chair