

**CITY OF MERRILL
HISTORIC PRESERVATION COMMITTEE
Wednesday, July 7, 2021 at 5:30 P.M.
City Hall Council Chambers
1004 E. First Street**

AGENDA

Voting members of Committee: Alderperson Paul Russell, Chairman, Bea Lebal, Elizabeth McCrank, Michael Caylor, Jr. and Alderman Steve Sabatke.

To attend remotely, call 717-850-8157 and meeting PIN 358 419 821#

1. Call to order
2. Approval of June 10, 2021 Minutes
3. Consider changes to the Historic Preservation Ordinance
4. Update on Scott Mansion Tower & Legion building
5. Public comment
6. Set date, time of next meeting.
7. Adjourn

Agenda prepared by Shari P. Wicke
Agenda reviewed by Chairman Paul Russell

The Merrill City Hall is accessible to the physically disadvantaged. If special accommodations are needed, please contact the Merrill City Hall at 536-5594.

**City of Merrill
Historic Preservation Committee
Thursday, June 10th, 2021 at 5:15 P.M.
City Hall Common Council Chambers, 1004 East First Street**

Voting Members Present (5 of 5): Alderman Paul Russell (Chairperson), Alderman Steve Sabatke, Elizabeth McCrank, Bea Lebal and Michael Caylor.

Others meeting attendees (either in-person or remotely) included: Building Inspector/Zoning Administrator Darin Pagel, City Attorney Tom Hayden, I/T Manager Dustin Brown and City Clerk Bill Heideman. Merrill Productions was present to videotape the meeting.

Call to order

Alderman Russell called the meeting to order at 5:17 P.M.

Minutes of previous meeting(s)

Motion (McCrank/Caylor) to approve the May 13th, 2021 minutes.

Bea Lebal requested that certain additions be made to the "Public Comment" portion of the minutes. Without objections, those additions will be made.

Motion to approve the minutes was carried.

Consider changes to the Historic Preservation Ordinance

The meeting packet included a memorandum from City Attorney Hayden. The memorandum included a recommendation from City Attorney Hayden that the Historic Preservation Ordinance should be repealed.

Bea Lebal speculated that, at this point, the Historic Preservation Committee is struggling to determine purpose, goals and future direction.

Elizabeth McCrank expressed confidence that the committee can and will take steps that will be beneficial to the community.

Building Inspector/Zoning Administrator Pagel suggested that the committee could take measures to become more of an advisory body rather than a regulatory body. Alderman Sabatke responded by raising the question of how the committee would get to that point.

Bea Lebal mentioned that ladies from Wausau had attended previous meetings when the Scott Mansion was being discussed. She acknowledged their expertise in historical preservation matters, and suggested that they could be a valuable resource of information. Elizabeth McCrank agreed to contact those ladies and invite them to future meeting(s).

Alderman Sabatke suggested that people that live outside the City, but pay City taxes, could also be a resource for the committee.

Building Inspector/Zoning Administrator Pagel suggested amending the ordinance to be less restrictive, rather than forcing property owners to achieve the "perfect" look. He also asked the committee how they wanted him to address issues until any potential ordinance amendment(s) are in place.

Elizabeth McCrank raised the question of how to work with property owners. She also wondered about ways to convince property owners to speak to the committee.

Building Inspector/Zoning Administrator Pagel stated that there seems to be consensus that the committee favors regulation on demolitions, but an advisory position on other issues.

An ordinance will be drafted for consideration at the next meeting. No action was taken.

Public Comment Period

Michael Caylor provided information on his suggestion to designate certain streets in honor of prominent people from Merrill's past. No street names would actually change.

Establish date, time and location of next meeting

Wednesday, July 7th, 2021 at 5:30 P.M. in the City Hall Common Council Chambers.

Adjournment

Motion (McCrank/Sabatke) to adjourn. Carried. Adjourned at 6:02 P.M.

Minutes prepared and submitted by:

William N. Heideman CMC, WCMC
City Clerk33

CITY OF MERRILL

1004 EAST FIRST STREET
MERRILL, WI 54452-2586

ORDINANCE NO. 2021-

Introduced: _____

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

Committee/Commission Action: _____

AN ORDINANCE:

Re: Amending Chapter 38, Article VII, Section 105-314 through 105-322 Historic Preservation

AN ORDINANCE

The Common Council of the City of Merrill, Wisconsin, does ordain as follows:

Section 1. Chapter 38, Article VII, Section 105-314 through 105-322 of the Code of Ordinances for the City of Merrill is amended to read as follows:

Sec. 105-314. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Committee means the historic preservation committee created under this article.

Historic permit means the permit issued by the building inspector approving the demolition of a historic structure.

Historic structure means any improvement which has a special character or special historic interest or value as part of the development, heritage or culture characteristics of the city, state or nation and which has been designated as a historic structure pursuant to the provisions of this article.

Streetview Perspective means a general overall example of the original exterior appearance of the building or structure from the street or sidewalk.

Sec. 105-315. Historic preservation committee.

A historic preservation committee is hereby created, consisting of five resident members, three citizen members, and two alderpersons. The Building Inspector shall serve on the committee as an ex officio nonvoting member. The mayor shall appoint the members of the committee, subject to confirmation by the common council. Of the initial citizen members so appointed, one shall serve a term of one year, one shall serve a term of two years, and one

shall serve a term of three years. Thereafter, the term of each citizen member shall be three years.

Sec. 105-316. Historic structure designation criteria.

For purposes of this article, a historic structure designation may be placed on any building, of particular historic, architectural, archeological or cultural significance to the city which:

- (1) Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community;
- (2) Are identified with historic personages or with important events in national, state or local history;
- (3) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;
- (4) Are representative of the notable work of a master builder, designer or architect who influenced his age; or
- (5) Have yielded, or may be likely to yield, information important to prehistory or history.
- (6) No property shall be designated without the expressed written consent of the owner.

Sec. 105-317. Powers and duties.

- (a) *Designation.* The historic preservation committee shall have the power, subject to section 105-318, to designate historic structures within the city limits. Such designations shall be based on section 105-316. Once designated, such historic structures shall be subject to all the provisions of this article.
- (c) *Regulation of construction, reconstruction, alteration and demolition.*
 - (1) The historic preservation committee shall establish advisory historic preservation standards to be used to assist property owners on proposed alterations to a historic structure. The purpose of these advisory standards is to preserve a "Streetview Perspective" of the original character and structure.
 - (2) No owner or person in charge of a historic structure shall demolish all or any part of the exterior of such property unless a historic preservation permit has been granted by the historic preservation committee.
- (d) *Recognition of historic structures.* At such time as an historic structure has been properly designated, the historic preservation committee may cause to be prepared and erected on such property at the city's expense, a suitable plaque declaring that such property is an historic structure. Such plaque shall be so placed as to be easily visible to passing pedestrians.

Sec. 105-318. Procedures.

(a) *Designation of historic structures.*

- (1) *Designation.* The historic preservation committee may recommend or rescind such designation after application of the criteria in section 105-316 and written request of the property owner.

(b) *Appeal.* Any decision of the historic preservation committee may be appealed to the Zoning Board of Appeals under provisions of section 113.461.

Sec. 105-319. Interim control.

No building permit shall be issued by the building inspector for demolition or removal of a nominated historic structure from the date of the meeting of the historic preservation committee at which a nomination form is first presented until the final disposition of the nomination by the historic preservation committee.

Sec. 105-320. Conformance with regulations.

Every person in charge of a historic structure shall maintain same or cause or permit to be maintained in a condition consistent with the provisions of the City of Merrill Municipal Code. The Building Inspector is appointed as the enforcement official.

Sec. 105-321. Penalties.

Any person or persons violating any provisions of this article shall be subject to a general penalty as provided in section 1-7. Notice of violations shall be issued by the building inspector.

Sec. 105-322. Emergency conditions.

In any case where the building inspector determines that there are emergency conditions dangerous to life, health or property affecting a historic structure, the building inspector may order the remedying of these conditions without the approval of the committee. The building inspector shall promptly notify the chairman of the committee of the action being taken and include it on the next meeting agenda.

Section 2. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any

court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: _____

Adopted: _____

Approved: _____

Published: _____

Approved:

Derek Woellner, Mayor

Attest:

William N. Heideman, City Clerk