MINUTES
ST. JOSEPH LANDMARK COMMISSION
MEETING
Tuesday June 4, 2019, 7:00 PM
1100 Frederick Ave., Third Floor Council Chambers, City Hall
St. Joseph, Missouri

Name                  Attendance  Terms of Office
                      (mtgs attended-mtgs absent)
MEMBERS PRESENT:     
Ron Auxier            (29-17)     01/25/22
Joe Ann Brott         (10-06)     06/25/21
Greg Hall             (16-00)     06/25/21
Ted Hauser            (40-12)     02/22/22
Roger Martin          (28-13)     06/25/21
Lisa Rock             (46-00)     09/25/20
Pat Squires           (40-13)     10/27/20
Cole Woodbury         (24-02)     10/10/19

MEMBERS ABSENT:      
Nigh Johnson           (41-12)     08/04/20

Staff Present:       
Bruce Woody, City Manager
Clint Thompson, Planning and Community Development Director
Chuck Kempf, Parks Department Director
Brady McKinley, Assistant Public Works Director
Mary Robertson, Assistant City Manager
Nic Hutchison, City Planner
Scott Des Planches, Historic Preservation Planner
Bryan Carter, City Attorney
Ted Elo, City Attorney
Lauren Manning, Recording Secretary

Call to Order: 6:59 PM

1. ROLL CALL:


Martin arrived at 7:04 pm

2. APPROVAL OF AGENDA

   a. Woodbury stated that Approval of Minutes Item a. May 7, 2018 Meeting Minutes should be corrected to say, May 7, 2019 Work Session Minutes and that Item b. should have the date corrected as well.
Hall motioned to approve the agenda as amended, Auxier seconded. VOTE: Auxier- aye, Brott- aye, Hall- aye, Hauser- aye, Martin- aye, Squires- aye, Rock- aye, and Woodbury- aye. MOTION PASSES

3. APPROVAL OF MINUTES
   a. May 7, 2019 L.C. Work Session Minutes
      Squires motioned to approve the minutes, Hall seconded. VOTE: Auxier- aye, Brott- aye, Hall- aye, Hauser- aye, Martin- aye, Squires- aye, Rock- aye, and Woodbury- aye. Eight (8) ayes, Zero (0) nays MOTION PASSES
   b. May 7, 2019 L.C. Meeting Minutes
      Woodbury noted that there was a text error on the votes recorded. Manning will correct. Hall motioned to approve the minutes as amended, Auxier seconded. VOTE: Auxier- aye, Brott- aye, Hall- aye, Hauser- aye, Martin- aye, Squires- aye, Rock- aye, and Woodbury- aye. Eight (8) ayes, Zero (0) nays MOTION PASSES

4. NEW BUSINESS
   a. Application for COA, Wyeth-Tootle Museum is seeking L. C. approval to install landscaping options, fence, plantings to shield the electrical panels from view.
      i. Des Planques gave his staff report. He stated that utilities fall under Minor Works categories and that he issued COA’s for the mechanical units and electrical panels. He presented three options to mask the units; landscaping, which would fall under ordinary maintenance, a fence and or a wall which would need to comply with the design guidelines.
         He stated that from the Landmark Commission’s Bylaws, minor works projects, “do not require issuance of a Certificate of Appropriateness by the Landmark Commission but must be reviewed and approved in advance by the City of Saint Joseph’s Historic Preservation Planner.”
      ii. Rock wanted to know why the Landmark Commission was discussing the screening options and believed the Commissioners should be discussing the placement of the boxes.
      iii. Woodbury stated, “My point of view, we’ve got precedence for these COA’s were applied for after the fact and they still had to be applied to go through the process. So my understanding is that the city is saying that because this is a ‘minor works’ project, these electrical boxes, which in most parts are not seven and a half feet tall. It does not constitute the use or the need for a COA. However it does state here, that the Landmark Commission doesn’t need to give a COA but must be reviewed and approved in advance by the City of Saint Joseph’s Historic Preservation Planner. Scott were you consulted on this and asked for your approval prior to that being installed?” Mr. Des Planques responded, “Nope.” Woodbury said, “Okay, I think that takes care of that. I would entertain a motion that we postpone this until the next meeting and entertaining the option that is not on this agenda, which is the removal or movement of those boxes.” Rock responded, “So moved.” Squires seconded. Public discussion began.
         1. Auxier questioned where a better place would be. Woodbury suggested a place that did not interfere with the circle drive of the property. He said that he would much rather see soft-scoping rather than hardscaping. Woodbury agreed that the other options would exacerbate the issue. Auxier suggested vertical coniferous trees.
         2. Hall questioned if they were to move, would it damage the landscaping that is already in place. He suggested a donation to mitigate the issue.
3. Rock said that the units were a major alteration to the circular drive instead of a minor alteration.

4. Bruce Woody, city manager, commented on some comments that were made up to that point.
   a. The transformer, historically the City of Saint Joseph does not require a utility company to pull permits for installation on private property but he stated that, “this is an unusually large one. I absolutely can see that.”
   b. He said the project was also unique because it is three phase. He mentioned that it also included the switch gear box. He stated, “which is also large and obtrusive.” He went on to explain that the utility company has the dilemma that in order to set them, it requires an 18-ton utility truck and the only range from the crane would be seven to eight feet. He said it was his understanding that it was between the contractor and utility company on the decision of the placement. He said that if they were moved and painted to match the buildings, they would still be a shape a character that are out of character with the building. They would need 20’ of liner space along a building and may not be placed under an overhang. The carriage house was initially ideal but didn’t have a space for those requirements. He suggested further considering the landscaping options originally presented on the agenda. He was willing to entertain other options as well. He personally was in favor of the plantings.

5. Rock and Woodbury mentioned that the placement along the circle drive was still the issue citing ADA issues.

6. Woodbury stated, “It’s a shame that we don’t have some sort of entity or group of people that could have helped with this process a little bit in helping to decide what would look appropriate, oh but wait a minute, we do have something. It’s called the Landmark Commission. I honestly think had we gone through the process the right way, we wouldn’t be here. This would have been dealt with earlier and was not an issue at all.” Woody responded that there were no intentions of ill will with this. Woodbury assured him that he understood how it happened.

7. Kim Schutte 1923 Francis, reiterated that this is the discussion that should have been had when a COA was applied for. Schutte said that if you have a landmark, you have to apply for a COA for the type of work. She said that the museum should hold itself to the highest of standards. She stated that they need to follow the same rules as everyone else. Schutte reiterated that the bylaws say, that the Historic Preservation Planner can choose to approve it if he’s notified ahead of time. The museum chose to put it through without going through that process and expects that they will be allowed to proceed due to the the costs and that the museum expects the Landmark Commission will allow them to install Home Depot dog-eared fence around, paint it black and call it good. She said that was a disrespect to the Landmark Commission.

8. Isobel McGowan 809 Hall Street, wanted to ensure that a letter the board of the Historic St. Joseph Foundation was entered into the record and would give it to Manning after the meeting. She urged the Landmark Commission to go with Rock’s motion to table the on the screening
options until they hear other possible options rather than just leaving them where they are and try to hide them.

9. Steve Hofferber 605 N. 11th, Hofferber provided an email and returned to the podium. He stated, “I agree that this needs to be postponed because I have a lot of issues and questions about the staff report from the city. I’ll refer to the email that I gave you a copy of in a moment. The staff report suggests that this is minor works. The preservation planner relies on Item 2 page 10 of the design guidelines which states ‘installation of mechanical systems in a rear and side yard and areas of low concern where such installations shall not result in a major alteration of the building.’ However it makes no reference in the more general definition found in the narrative also found on page 10. Specifically it states that minor work items include those changes to a property judged not to have a specific impact on a property should be consistent with the city of St. Joseph Landmark Commission’s established guidelines. Hopefully most of you have seen the site for yourself and if not I think you will all see plenty of evidence tonight that demonstrates that this work does have a significant impact on the property and that it should not be classified as a minor work. Secondly, the staff report states that this is a unique situation where the side and/or rear yard are visible from the public right of way. That by itself is a compelling argument for the preservation planner to exercise his discretion found on page 11 of the Design Guidelines to allow the Landmark Commission to review and approve the COA even if he believes that it is properly classified as minor works. The staff report also states that these electrical units have to be placed where they are which is as close to a back side yard as possible. I believe this information is incorrect. The document I handed out is an email dated May 3, 2019 from Kevin Rost who is the architect handling this project from Goldberg Group Architects under contract through the City of St. Joseph. In it he states that the location was determined by several staff, KCP&L, the electrical contractor and the two, not one, potential locations were identified. I believe the staff report is misleading and the material is inaccurate in this respect. Mr. Rost’s email also lays out the technical and logistical considerations which limit the options and locations available for locating the equipment. I believe it would be useful for the Landmark Commission to be given the opportunity to question him and perhaps a representative from KCP&L and the electrical contractor to delve into these limitations in more detail to determine if even more locations would be considered. For example, an irrelevant shorter extension of a driveway or a grid system that Cole mentioned that would allow for the equipment to be placed on the southeast corner of the building. There’s already screening in that area which may have to be extended out and up a bit, but which would be a better option than the one chosen. Honestly I think it is inappropriate for the preservation planner to offer the Landmark Commission the ‘courtesy’ of reviewing the screening options. I believe that the preservation planner’s responsible for the fact that the city’s staff failed to apply for the CofA in advance of issuing the notice to proceed with the work to be done. I do believe it is his responsibility to stand up for the prerogatives of the Landmark Commission to weigh in on the placement issue not to deprive them of that opportunity by classifying this as minor
work and offering to let them choose between several unpalatable screening options. The line of administrative approval of minor work is important to avoid delays to projects for truly minor projects that don't have a visual impact. That is not the case here. The work has already been done allowing the Landmark Commission the opportunity to review the entire location instead of just the screening component and it will not delay anything. I understand that some or perhaps, most of the commissioners just received their packets of information on this, yesterday. Given a brief period of time, commissioners have had to review the information, and what I believe are legitimate questions that exist about the staff report. I would recommend that the Landmark Commission postpone the consideration of this CofA and request a work session with people who could provide more detailed information on placement limitations so the Landmark Commission could weigh in and make a more informed decision about how to proceed.

10. Brenda Reilly 301 S. 12th, provided images of the museum's grounds and events that had happened at the museum and the impact. She also stated that when she was a member of the Wyeth Tool group, they had to receive a COA for a new signage that was placed on the south fence at the mansion. She stated that the staff at the museum at the time understood the impact, that the views matter. She said that they had developed garden plans that staff at the time approved including a circle drive all the way around for ADA and service drop-offs. She said these boxes would affect that.

11. Donna Clayton 302 S. 11th, stated that she had used the grounds numerous times for events at the mansion and that the boxes would not affect those events. She stated that the museum needs these to continue functioning. She said it was something that is necessary for the museum which is necessary for the community. She said that no matter where they are placed, they will be seen from a street and that moving them wouldn't solve the problem. She said they would still have to be hidden no matter where they are placed.

12. Janet Sourk 902 Powell, requested that the City “do the right thing.” First she requested tabling the COA the Landmark Commission had received tonight for screening. Second, she believe that the Landmark Commission should start with a COA for the boxes. She went on to explain that this was a bad result. She said that it was a massive new construction that obstructs the grounds visually and functionally. She believed that the Museum approved the placement. She said in no way was this a minor works project. She questioned how much the project cost, how long this had been in planning, how long they took to construct, how many people were involved, the sheer size of the boxes as to whether this was a minor project. She stated that the museum is well aware of the process. She said that it was up to the St. Joseph Museum to encourage the proper placement. She said that if the Museum, the City, the Architects and contractors had come to the Landmark Commission, this would have gone much smoother for the major landmark. She stated that the Design Guidelines are there because people care how things look. She said that the Landmark Commission is there to care about demolition and new construction and that this was a major new construction. She said that money should be used from the CIP money
dedicated to the mansion. She wrapped up by reminding everyone to “Please, do the right thing.”

13. McGowan returned to the podium to ask if ADA improvements had been impaired by the boxes. Elo answered that he was able to access the lift.

14. Marcena Carter 1125 Charles, Carter agreed with everyone in tabling the vote. She invited everyone to the Vineyard Mansion that she has restored as well as the carriage house. She invited everyone to visit the property for a tour and see her view, especially at night, of the boxes.

15. Paul Reilly 301 S. 12th, requested that before a wall was built, he would like the architect to help the Landmark Commission to help with the decision.

16. Chuck Medley 302 S. 12th, said that homeowners have to play by the rules but the city usurped the process and should be held to a higher standard. He wanted to see the money spent to move the boxes rather than masking them.

17. After public comment, Elo suggested choosing a specific date for the motion. Rock stated that her motion was to postpone the vote until the August 6th Landmark Commission meeting until the Landmark Commissioners receive a COA for the boxes and where they should be placed.

18. Auxier questioned where the boxes should be located to, citing that they would be visible from all four sides. Rock clarified that she would like to see them in a more suitable location. Squires added, “or be told that they can’t.”

19. Martin called for the question.

   VOTE: Auxier- aye, Brott- aye, Hauser- aye, Hall-aye, Martin-nay, Squires-aye, Rock-aye, and Woodbury-aye. Seven (7) ayes, One (1) nays. MOTION PASSES

b. Application for a Local Landmark status to Jennifer Baxter-Higgs residence at 424 S. 9th St. the Charles & Annie Buddy House.

   i. Des Planques gave his staff report in favor of adding 424 S. 9th to the Local Landmark list.

   ii. Jennifer Baxter-Higgs 424 S. 9th St., addressed the Commissioners saying that the Buddy house should be listed as a Local Landmark because being on the National Register of Historic Places didn’t protect the home and this would allow another layer of protection for the house. She said this was a very important house and the history of the family was a huge contributor to the city’s history. She mentioned that she also listed the Goetz Mansion on Francis Street and wondered why that was the last building listed under local designation. She wanted to know why local designations were not recognized anymore, “when they are everywhere.” Des Planques said that the nominations were the responsibility of the property owner.

Baxter-Higgs questioned Des Planques why no one had, and suggested that he needed to pursue that. She also stated that she was unaware that this vote was on the agenda at all. Woodbury asked if she had received any notice of the meeting, she said no. Des Planques said that she turned in the application. She answered saying she had turned it in on May 3rd and had heard nothing from Des Planques and was not even aware if he had received the application. She found out her property was on the agenda from another source.
Baxter-Higgs said that the Buddy house was slated for demolition when her and her husband purchased it. She urged that the Landmark Commission pursue promotion of preservation on a larger scale. Woodbury thanked her for all the work she had done to the house thus far. Squires moved that the commission recommend to the city that this property be designated a local landmark. Auxier seconded. VOTE: Auxier-aye, Brott-aye, Hall-aye, Hauser-aye, Martin-aye, Squires-aye, Rock-aye, and Woodbury-aye. Eight (8) ayes, Zero (0) nays MOTION PASSES

c. Application for a Local Landmark status to the City of St. Joseph’s City Hall at 1100 Frederick Ave.
   i. Des Planques gave his staff report stating that St. Joseph’s City Hall had been on the National Register since 1986. He recommended that the Landmark Commission make a recommendation to the City Council that City Hall should be listed as a Landmark on the Local Register of Historic Places. Auxier moved to make the recommendation to City Council, Squires seconded. VOTE: Auxier-aye, Brott-aye, Hall-aye, Hauser-aye, Martin-aye, Squires-aye, Rock-aye, and Woodbury-aye. Eight (8) ayes, Zero (0) nays MOTION PASSES

Patrick Squires excused himself at 8:19 pm.

d. First Christian Church Disciples of Christ at 927 Farao St. are requesting an amendment to change the Scope of Work and amount of their 2018/2019 SOHG.
   i. Des Planques reported that after work was started on their initial project to replace the front stairs, that crews discovered further deterioration.
   ii. Judy Spencer from First Christian Church was at the meeting and stated that they had spent over $116,000 on the project thus far. Since there were still funds left from the SOHG, Rock motioned to approve the additional funds, Hall seconded. VOTE: Auxier-aye, Brott-aye, Hall-aye, Hauser-aye, Martin-aye, Rock-aye, and Woodbury-aye. Seven (7) ayes, Zero (0) nays MOTION PASSES

e. Present new $100,000 Vacant Structure Stabilization & Demolition Program.
   i. Clint Thompson was present to discuss a line item from the budget to allow for work on community development to address blight and vacant houses but to also allow for work to be done on buildings like those damaged on Felix St. from the Pioneer Building fire. This was a tool to be used before demolition was the only option.

f. Demolition Review recommendation to Planning Commission and City Council.
   i. Des Planques reported that several members of staff had been doing research on developing a Demolition Review ordinance.

5. OLD BUSINESS
      i. Manning said that the Conference was this month. Opening reception would be at the Wyeth Tootle mansion and twelve homes would be open in Museum Hill for attendees to tour. The rest of the conference would be held at the Red Lion Hotel and the awards banquet would be at the Moila.

   i. Rock was unaware what this specific line item was about but reported that her and Carol Flury had been in contact regarding local districts with the title company.
   i. Hauser reported that this would be done after the conference ended.

d. Commissioner recommendations for next month’s work session agenda items.
   i. Woodbury said, “I have one notation here myself that has been brought up before regarding retaining walls in our districts that are under attack basically being pillered and removed, that sort of thing. That is something we want to look at and discuss. Maybe we can add it to our discussion for our work session.”
   ii. Auxier said, “I would be interested in going as the Item f. Demolition Review recommendations being prepared if there’s any thought given to the idea as if one finally does have to bear the fact that demolition is required, of that house or structure the feasibility then of salvaging and recycling the wood frame itself. The rafters and studs, these could be looked at. It would be great if we could accept that product. Many of these would be possibly Douglas fir. The quality of the wood be considered to be reused in a green building or adding onto an existing structure. The nominal size of the members would be such that I think, yes they’ll need to be inspected but it can be done and it is being done so that becomes rafters, floor boards, joists from the old property from whatever structure needs to be recycled. That may be already in the outline for it.”
   Woodbury said, “My only question would be, do those demolitions take place by city personnel or is it a contract out to a contractor who usually ends up with the salvage rights to the materials.”
   Auxier responded, “Again, we’ve asked that to be done, salvage the materials. We’ve asked them to salvage the lintels, we’ve asked them to salvage the windows, so if we’re going to put limitations on what can and should be salvaged, maybe these members could be important in saving what’s important, the window, fireplace mantel or whatever.”
   Woodbury asked, “Do you want to put that in a work session?”
   Auxier responded saying, “Well I’m curious to know, if it’s already going on or if I’m stealing someone else’s idea. The conditions are being made. It’s quite common in California.”
   Woodbury said, “I think it’s quite common in a lot of places.”
   Rock added, “To capitalize on Ron’s concerns, we need to be salvaging more than even the joists and such. I sat for two hours and watched the Cracker House demolition, and they didn’t even attempt to save the decorative lintels. They just ripped them down and watched them fall. I have pictures of it so don’t tell me they didn’t.”
   Woodbury said, “I’ve seen the remnants of them so I know what you mean”
   Des Planques asked, “Lauren, didn’t you say you…?”
   Manning responded, “Two were.”
   Rock said, “Out of eleven potential.”
   Des Planques said that was being done by the property owner.
   Rock said, “We should put a stipulation whether they’re a property owner or not that they’re just letting it go to the ditch.”
   Woodbury asked, “Instead of discussing that now, let’s put that in a work session. Let’s make note of that.”
   iii. Rock said, “I would like to add to next month’s meeting a discussion of local district, maybe a special signing or amendment of papers or something to that effect stating that people are buying into a local district and they know for a fact that they are purchasing into a local district.”
   Woodbury said, “Yes let’s add that to the agenda and maybe put together a packet or a closing document.”
Des Planques said, “That has been part of the closing documents.” Woodbury and Rock responded, “It’s not happening.” Des Planques said, “It’s not happening now? It had been for years.” Rock said, “It’s not happening so I would like to add an addendum that states specifically that a person is purchasing to a local district and somehow implement that so we can be proactive instead of reactive on these situations if that is okay with the other members.”

e. Update on 419-421 N. 16th St. and 914 Main St.
   i. Des Planques reported that staff had a conference call with SHPO to discuss options. SHPO agreed with saving the retaining wall and garages at 419-421 N. 16th. Staff was in the process of determining what they needed for the memorandum of agreement. Des Planques reported that if the city has to take over demolition of 914 Main, bricks and lintels would be salvaged. If they do not, there is no need for an MOA.

6. STAFF UPDATE ON PRESERVATION ACTIVITIES
   a. Des Planques reported that staff is working on rebooting the St. Joseph House Emporium. This time it will be in a digital format.
   b. During the March application, the commission postponed their COA vote. With revisions to the CIP Schedule. The energy efficiency project will not be done until 2023.

7. PUBLIC COMMENT
   a. Isobel McGowan 809 Hall Street, reported that the Historic St. Joseph Foundation has made a recommendation to City Council regarding institution of a demolition moratorium within downtown and the historic residential districts. That recommendation was met with verbal approval. McGowan would like the Landmark Commission and the Historic St. Joseph Foundation to join together at the work session to present a formal recommendation to City Council.

   Elo questioned, “What the basis of the moratorium?”

   McGowan answered that this would give the community time to work with the Vacant Structure Stabilization & Demolition Program, the Emporium and the Land Bank in order to market the properties that are threatened with demolition. She stated that this would offer other strategies to work with rather than just demolition.
   b. David Bezona 401 S. 12th, presented a letter from the Museum Hill Neighborhood Association about the Design Guidelines, specifically to consider new materials and techniques that can be more affordable to property owners. The letter also recommended stricter enforcement of the codes and zoning regulations.
   c. Richard Mahoney 501 S. 10th, addressed the Commission regarding the break-ins at the former Twin Spires church and the associated buildings. He said that they have invested roughly $500,000 in the church thus far for a pro-life shrine but vandals have been breaking in on a daily basis and have stripped the buildings of a lot of their character.
   d. Brenda Reilly 301 S. 12th, reported that during the opening reception at her house, she will be featuring architectural salvage from Barbara Ide’s personal collection.

8. ADJOURNMENT
   a. Hall moved to adjourn at 9:06 pm

Minutes respectfully submitted,

Lauren Manning, Recording Secretary