

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, March 11, 2009 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Approve Minutes
3. Voucher approval
4. Old Business
5. New Matters before the Deadwood Historic District Commission
6. New matters before the Deadwood Historic Preservation Commission
 - a. Case # 09006 – 395 Williams Street – Door & Foundation – David Kneip
 - b. Case # 09007 – 16 Washington Street – Window – Michael Sneesby
 - c. PastPerfect Data Conversion – Mike Runge
 - d. Termesphere – Adams House Interior – Dick Termes
 - e. South Dakota State Historical Society Annual Conference – Kevin Kuchenbecker
 - f. Discussion on Design Guidelines Community Workshop – next steps
7. Revolving Loan Fund/Retaining Wall Program Update.
 - a. Retaining Wall Applications
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
8. Items from Citizens not on agenda.
9. Committee Actions and Reports
10. Staff Report
11. Other business
12. Adjournment

Executive Session for Legal Matters

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, March 11, 2009

Present Historic Preservation Commission: Darin Derosier, Ronda Feterl, Mary Ann Oberlander, Mike Olsen, Steve Olson, and Willie Steinlicht. Historic Preservation Officer Kevin Kuchenbecker was also present. Late: Matt Pike.

Absent Historic Preservation Commission: None.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, March 11, 2009 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Condolences

Prior to the meeting coming to order, Chairman, Willie Steinlicht, asked for a moment of silence for the passing of Becky Crosswait. Ms. Crosswait was responsible for putting the historic Adams House on the Historic Register and was the first Historic Preservation Chairman.

Move Agenda Item

It was moved by Mr. M. Olsen and seconded by Mr. Derosier to move agenda item 6f to agenda item 8a. Aye – All. Motion carried.

Review Minutes

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the minutes from Wednesday, February 25, 2009. Aye – All. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. M. Olsen and seconded by Mr. Derosier to approve the HP Operating Account in the amount of \$17,680.10. Aye - All. Motion carried.

Bonded Account:

None.

OLD BUSINESS

None.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

None.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

Case #09006 – 395 Williams Street – Door & Foundation – David Kneip

Historic Preservation Officer, Kevin Kuchenbecker, explained that the applicant is requesting Project Approval to repair a porch and storm door and remove aluminum storm windows at 395 Williams Street, a contributing structure located in the Forest Hill Planning Unit of the City of Deadwood. The resource was constructed in 1932. They are proposing to remove and repair the existing storm door, which is original to the house; stabilize the porch, which is settling and causing problems with the door; and remove the 1970s aluminum storm windows and repair or replace the original wooden storm windows as submitted. As submitted the project does not encroach upon, damage or destroy any historic properties, nor does it have an adverse effect on the Deadwood National Historic Landmark District or to the National or State Historic Register Districts. *It was moved by Mr. M. Olsen and seconded by Ms. Feterl to find that the project presented in Case #09006 does not encroach upon, damage or destroy any historic properties, nor does it have an adverse effect on the Deadwood National Historic Landmark District or the National or State Historic Register Districts; and therefore, grants Project Approval. Aye – All. Motion carried.* (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

Case #09007 – 16 Washington Street – Window – Michael Sneesby

Mr. Kuchenbecker explained that this is a request for Project Approval to replace a rear window at 16 Washington Street, a contributing structure located in the Ingleside Planning Unit of the City of Deadwood. The resource was constructed in 1888. He said the applicant has already replaced the existing wooden, double-hung window at the rear of the house with a vinyl-clad window without Project Approval and without obtaining a building permit from the City of Deadwood. Mr. Kuchenbecker noted the before and after photos of the window that has changed or altered the appearance of the window with an alternate style and opening size; therefore, the proposed project has damaged the historic property and may have an adverse effect on the National Historic Landmark District and the National and State Historic Register Districts. Owner and applicant, Michael Sneesby, was available for questions.

Mr. Derosier asked how much bigger the window was, to which Mr. Kuchenbecker said it fits in the opening, but the window is actually smaller. Mr. Sneesby said the height is the same, but the width is smaller and he has not yet replaced the siding on the portion that is covered by plywood.

Mr. Pike asked Mr. Sneesby not to take his questions the wrong way, but he wanted to make sure that the City of Deadwood is doing everything possible to communicate with him to let him know that they are here to assist. Mr. Pike went on to ask if there was any reason he did not know what the appropriate procedure was and wanted to know if there was anything the City could do better to get the information out to him as a homeowner, as he may be indicative to others who would want to know how they could help make a right decision and assist in maintaining the value of his property. Mr. Sneesby replied by saying that the window itself was rotting and he could feel cold air coming through it, which is the first reason he replaced it. He said he did not call and ask for permission, as he honestly did not think that one window would be an issue and did not realize he needed to obtain a building permit. Mr. Pike asked

where the first place would be for him to go to learn about that, and again, Mr. Sneesby said he honestly did not realize it was an issue.

Mr. Pike asked Mr. Sneesby if he had come to city hall, would it be beneficial if there was a brochure or pages from a document that could have been handed to him. Mr. Sneesby said it probably would be a benefit.

Mr. M. Olsen asked if this project would be eligible for the window program, to which Mr. Kuchenbecker said that he did not see the original condition of the window, but felt it would have qualified for either repair or replacement and could have been done in a way that would not have had an adverse effect. Mr. S. Olson asked if this was done to accommodate interior changes to the house, to which Mr. Sneesby said it was, because he installed new kitchen cabinets and had to move the window over to accommodate for those changes.

After asking City Attorney, Jason Campbell, for advice on the matter he asked that this be discussed in executive session. ***It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to continue Case #09007 to the meeting on March 25, 2009. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.) Ms. Feterl told Mr. Sneesby there may be alternatives to what has been changed and asked him if he could return on March 25, 2009. Mr. Sneesby stated he could return.

PastPerfect Data Conversion – Mike Runge

City Archivist, Mike Runge, appeared before the Commission requesting permission to enter into a contract with PastPerfect Software, Inc. for the conversion of the City Archives collection databases. He explained that the purpose of this conversion is to consolidate all of the city's databases into this software, which is the same software that the Adams Museum & House, Inc., the Days of '76 Museum, Inc. and the Deadwood Public Library are all currently using. He went on to explain that this was part of the April 16, 2001 Comprehensive Plan & Historic Preservation Action Strategy, which recommended that all parties use the same format. ***It was moved by Mr. M. Olsen and seconded by Mr. Derosier to recommend to the City Commission the proposed bid of \$1,035.00 to convert the archives computer system to PastPerfect. Aye – All. Motion carried.***

Termesphere – Adams House Interior – Dick Termes

Mr. Dick Termes thanked the Commission for allowing him to present his proposal. He explained that a few years ago he painted a sphere for Deadwood, which is currently being displayed in the History Visitor Center that shows the history of Deadwood, noting that he made it as authentic as possible. He said he has been doing spherical painting for 40 years and feels that the sphere of the Adams House is one of his finest pieces of work. He said he began painting the sphere of the Adams House two weeks after the Crosswaits bought it from Mary Adams, and feels it should be displayed in different buildings throughout Deadwood. He also noted this sphere has been a popular site on "youtube" and feels it not only draws attention to his work, but to Deadwood as well. Mr. Termes said he was asking \$14,000 for the sphere.

Ms. Feterl asked what needed to be done for the upkeep of the sphere, to which Mr. Termes said there is really no upkeep. He said it is a plastic ball painted with acrylic paints and sprayed with a finish that can be cleaned with a light cloth. He said he has also known of one of his spheres to fall 60' and not break,

only needed a little bit of touching up. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to refer this matter to the Archives sub-committee for consideration. Aye – All. Motion carried.*

South Dakota State Historical Society Annual Conference – Kevin Kuchenbecker

Mr. Kuchenbecker said he is requesting permission to attend the South Dakota State Historical Society's Annual History Conference on April 17 & 18, 2009 at the Ramkota in Pierre. *It was moved by Ms. Feterl and seconded by Ms. Oberlander to recommend to the City Commission that Kevin Kuchenbecker be allowed to attend the Annual History Conference at a cost of \$85.00 for registration plus the use of a city vehicle, hotel room and meals. Aye – All. Motion carried.*

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Retaining Wall Applications

None.

Revolving Loan Request

Joy McCracken explained that the loan request is coming from a major project on Williams Street for Pete and Amy Kirchhevel. She explained that Ms. Kirchhevel and the contractor had a miscommunication and she did not realize that the floor coverings were not included in the contractor's bid; therefore, is asking for a loan increase of \$13,000. She said this would bring the totals to \$65,030 for Preservation at 5%, \$25,209 for Life Safety at 0% and \$10,000 Special Needs/Vacant Home at 5%. The Loan Committee reviewed this and favorable comments were received. Ms. McCracken noted that the increase is for Preservation and this will complete the project. *It was moved by Mr. M. Olsen and seconded by Mr. Pike to approve the increase of the Remodel/Repair loan from \$52,030 to \$65,030 for Pete and Amy Kirchhevel at 316 Williams. Aye – All. Motion carried.*

Revolving Loan Disbursements

It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the cash disbursement journal in the amount of \$19,937.26. Aye – All. Motion carried.

Retaining Wall Disbursement

It was moved by Mr. M. Olsen and seconded by Ms. Feterl to approve the retaining wall grant disbursement in the amount of \$32,184.00. Aye – All. Motion carried.

Ms. McCracken reviewed the delinquency report.

ITEMS FROM CITIZENS NOT ON AGENDA:

Discussion on Design Guidelines Community Workshop – Next Steps

Kevin Kuchenbecker talked about the workshop on February 4, 2009 where draft #1 of the Deadwood Design Guidelines was introduced. He said he wanted to hit on the highlights of that meeting and then make a decision for the upcoming dialogue and input based on what was heard. He also stated that based on that meeting it was important that there be at least one more, highly publicized public meeting for continued input.

He noted that they were working with one of the leading consultants on design guidelines, which was Winter & Co. He said there was a meeting in November with both Commissions and then again in December, with the first public meeting being February 4, 2009. Based on that they talked about receiving public comments by March 11, 2009. He said the next step was to have a final draft, a public workshop and then the adoption of the guidelines in June 2009. He said his recommendation after talking with Zoning Director, Bernie Williams, is to look at having another public workshop. In the meantime, he would like to take the presentation to a Chamber of Commerce meeting so that they understand where things are going with the design guidelines.

He said that Bernie Williams did some research on the Internet and found a document on what can and cannot be done with design guidelines. He said it explains, expands and interprets the design criteria and gives that flexibility, but also brings continuity and protects the value of public and private investment. He said it also indicates the approaches to the design in the district and serves as a tool to making design decisions and increases public awareness. He went on to say it is important to understand that it cannot serve as a law and they are not creating new rules, just guidelines. He explained that the ordinances already allow them to put together guidelines, and added that it could not limit growth or regulate where growth takes place because that would be determined by zoning.

He said that as they have approached this project they have identified that within the National Landmark District there are planning units. He said that as they looked at the existing zoning maps some of them extend beyond the landmark boundary, adding that the planning units are to be contiguous with the boundaries of the Landmark District from the 1981 city limits. He said it has not been decided, but wondered how the areas outside of the National Landmark boundary that are within the city limits are addressed. He said it needed to be decided relatively quickly if the city wants guidelines outside of the National Landmark District so they can give the consultant direction.

After Mr. Kuchenbecker's Power Point Presentation it was determined that the community needed to be educated and concerns needed to be addressed. Mr. Derosier agreed that they needed to slow down and get more public involvement. Mr. Pike reiterated that it is critically important to slow it down so that they can educate the people. Mr. M. Olsen suggested that meetings be arranged with the Block Clubs so the guidelines can be discussed. Ms. Joy McCracken said that all the officers from the Block Clubs could help get the word out about when public meetings would be held.

Mr. Kuchenbecker said he felt that Bernie Williams and himself needed to finish their review and remove some of the items that don't belong based on the current ordinance, which may eliminate some of the public concerns. It was determined a new calendar needed to be made.

Committee Actions and Reports:

Archeology: Commission representatives: Mike Olsen (chair), Darin Derosier and Willie Steinlicht
Mike Olsen reported that the Archaeology Camp will be three weeks this year. The first week will be with the older kids and the second and third weeks with the younger kids. He said if the older kids volunteer to help with the younger kids they will get a rebate on their tuition for the camp. They are also looking into the possibility of hiring a professional archaeologist to direct the camp and do the follow up report that will need to be done after the camp is finished.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike
Mike Olsen reported that Mike Runge presented a list of things he is doing.

Received an update on the symposium.

Budget: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht.
No report was given.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Matthew Pike
Steve Olson reported that the meeting was scheduled.

GIS: Commission representatives: Steve Olson (chair), Mary Ann Oberlander, and Matthew Pike
No report was given.

Grants, Recognition, Advocacy & Public Education: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Mary Ann Oberlander.

Ms. Oberlander reported on the following:

The Grants and Public Education Committee made a recommendation to allow St. John's Episcopal Church a grant for no more than \$1,500.00 for an assessment of their properties so they can make plans for work that needs to be done and in a manner that would be most beneficial to the building. ***It was moved by Ms. Oberlander and seconded by Mr. M. Olsen to grant St. John's Episcopal Church \$1,500.00 for a Conditions Assessment. Aye – Feterl, Oberlander, M. Olsen, S. Olson, Pike and Steinlicht. Abstain: Derosier. Motion carried.***

The selection was made for the scholarship recipient; however, notification has not yet been done.

Mike Runge notified the committee that instead of doing Wall of Fame awards this year; they will be doing Century Awards, with the Court House being recognized.

They are prioritizing money for advocacy and public education.

Loans: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Darin Derosier.
No report was given.

Adams Museum: Commissioner Mary Ann Oberlander.
No report was given.

Chamber of Commerce: Commissioners Willie Steinlicht and Darin Derosier.
No report was given.

Days of '76: Commissioner Steve Olson.

Steve Olson reported that the Days of '76 is "pressing" along with their design. He also reported that one of the earmarks that Congress approved was \$150,000 for the Days of '76 for collection preservation.

Neighborhood Housing Services: Commissioner Willie Steinlicht.

No report was given.

Planning and Zoning: Commissioner Mike Olsen.

Mike Olsen reported on the following:

New officers were elected with Marie Farrier as Chairman, Jim Shedd as Vice-Chairman and Sheree Green as Secretary.

Approved a sign replacement at Oyster Bay at 628 Main Street, which follows the sign ordinance.

They continued the discussion for a sign at 304 Cliff Street, which is at Deadwood Gulch. This was primarily due to the sign requiring two variances, one a variance of 28' in height and the second one a variance of 107 sq. ft. in size.

Approved the final plat of lots 1 & 2, which is the property that was purchased from Ken Kellar up by the cemetery. It was found that a "sliver" of that was actually part of his parking lot. It was platted so that the parking lot is now part of the parking lot plat and not part of the plat on the hill.

Demolition By Neglect: Commissioner Matthew Pike (chair) and Steve Olson.

No report was given.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC

No report was given.

Budget Committee: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht. Mike Olsen reported that everything is on track and the supplement will come through in May.

Historic Preservation Staff:

Kevin Kuchenbecker reported on the following:

He will be attending GIS training in Rapid City, SD.

Reported that over 75 applications were received for the Administrative Assistant position and he will be conducting interviews.

OTHER BUSINESS:

Executive Session

Mr. Campbell requested a brief executive session regarding legal matters with no action to be taken.

ADJOURNMENT:

Hearing no further business to come before the Commission at this time and no objections from the Commission or the audience, Chairman Steinlicht adjourned the meeting at 6:10 pm.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Ronda Morrison, Recording Secretary