

City Council Workshop Minutes March 21, 2022

Pursuant to due call and notice thereof, the City Council of the City of Buffalo, Minnesota, held a workshop meeting in the City Center on the 21st day of March 2022 at 5:00 p.m. Present Council Members: Jameson Wakefield, Teri Lachermeier, Nick O'Rourke, and Steve Downer. Absent was Council Member Scott Enter. Staff: Administrator Laureen Bodin, Assistant Administrator Taylor Gronau, City Clerk Susan Johnson and Community Planning and Economic Development Director David Kelly.

Mayor Lachermeier called the meeting to order at 5:00 p.m.

Administrator Bodin said the City has been discussing a Heritage Preservation Committee for a few years. Michael Koop from the State Historic Preservation Office was invited about two years ago to meet with the Council, but due to the pandemic that didn't happen. Mr. Koop is here tonight to give the Council some information on heritage preservation in Buffalo. The Council is not obligated to decide tonight, staff recommends that any decision be made at a regular council meeting.

Community Planning and Economic Development Director Kelly referenced *City Code section 2-130 Heritage preservation advisory board*.

(a)*Established; members; terms.* The city has established a heritage preservation advisory board composed of five members appointed for three-year staggered terms. A city councilmember will be appointed as a voting member by the mayor to serve a one-year term. The chairperson of the planning commission shall be an ex officio non-voting member of the board, but such membership shall not be counted in the number of members stated.

(b)*Purpose.* The purpose of the board shall be to identify buildings, land, areas, or districts which are determined by the board to possess particular cultural or educational value and shall promote the designation of heritage preservation sites.

He said that with the recodification last fall much of the previous ordinance was withdrawn with the intention that details would be put into bylaws of the board.

Michael Koop, Certified Local Government Coordinator from the State Historic Preservation Office (SHPO) was on hand to address the Council. He reviewed the State Historic Preservation Office oversees programs to identify, evaluate, and protect Minnesota's important historic and archaeological resources.

What does SHPO do?

- Survey & Inventory
- National Register of Historic Places
- Federal & State Historic Preservation Tax Incentives
- Environmental Reviews
- Heritage Preservation Commission/ Certified Local Government
- State Preservation Plan
- Education & Technical Assistance

A mix of incentives, regulations and education provide the tools that are used to encourage historic preservation across the state.

In 1977, the MN SHPO began a systematic county-by-county survey to identify the state's historic resources. The survey located, identified, and evaluated a range of historic resources, important steps that help provide the basis for making sound judgements in community planning. Wright County was surveyed in 1977, but there are no sites in Buffalo identified in their files.

Koop touched on the National Register of Historic Places (NRHP).

- NRHP is a planning tool
- Buildings, districts, sites, objects, structures may be listed
- Must have both significance and integrity
- Why list?
 - Honor and recognition
 - State and federal tax credits
 - Protections through environmental review
 - State and federal grants

The main reason to having the designation on the National Register of Historic Places is to access grants. Legacy grants are the main source of funding for local organizations. A property must be listed on the National Register of Historic Places to access the grant funding. Another benefit is the Historic Tax Credits which offer an outstanding return on investment. According to the state's economic studies, every dollar invested in the Minnesota tax credit program will generate \$11.30 for the economy.

SHPO reviews thousands of projects annually so they comply with federal and state laws intended to ensure that historic properties are not harmed.

Local Preservation in MN State Statute 471.193

"The legislature finds that the historical, architectural, archaeological, engineering, and cultural heritage of this state is among its most important assets. Therefore, *the purpose of this section is to authorize local governing bodies to engage in a comprehensive program of historic preservation, and to*

promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of this state.”

State enabling legislation (471.193) stipulates that every heritage preservation commission shall include, if available, a member of a county historical society of a county in which the municipality is located. However, the commission is not required to have an architect or historian with a PhD.

Heritage Preservation Commissions (HPCs) Powers and Duties

- Prepare surveys of properties
- Preserve sites of historic and architectural significance
- Educational outreach
- Recommend sites for National Register of Historic Places
- Promote acquisition of façade and conservation easements
- Recommend to city council sites for local designation

Koop referred to Sect. 2-130 City Code *shall promote the designation of heritage preservation sites.*

Historic context study will not help pick out sites that are historical. The study is more of a historical guide. There are several elements to evaluate sites as landmarks that would need to be part of the ordinance.

Sample Local Designation Criteria

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City;
2. Its location as a site of a significant historic event;
3. Its identification with a person or persons who significantly contributed to the culture and development of the City;
4. Its embodiment of distinguishing characteristics of an architectural style, period, form or treatment;
5. Its identification as the work of an architectural or master builder whose individual work has influenced the development of the City;
6. Its embodiment of elements of architectural design, detail, material, or craftsmanship which represent a significant architectural innovation;
7. Its unique location, scale or other physical characteristics represent an established and familiar visual feature of a neighborhood, a district, the community, or the City.

Local designation=strongest protection. Ordinance gives the community power to save these resources. The strongest laws for historic preservation are local laws,

not state or federal. A municipal process that allows for the creation of either local landmarks or historic districts and provides a regulatory method to protect a community's historic character is one of the strongest mechanisms to ensure that preservation occurs.

Study after study has shown that preservation ordinances have the effect of stabilizing or increasing the value of residential, commercial, and other property that has been locally designated.

Certified Local Government (CLG) Program

- Local, State and Federal partnership to promote preservation at the grassroots level
- Gives the local government and citizens a formal role in preservation
- Provides technical assistance to CLG
- Allows the City/CLG to apply for preservation planning grants

CLG grants are awarded to the city for preservation planning projects, not to individuals. It is not for bricks and mortar grants.

What Can Certified Local Government Grants Pay For?

Preservation planning projects:

- Historic Context Studies
- Surveys (buildings or archaeological sites)
- National Register of Historic Places or local landmark forms
- Public education
- Preservation plans

The State Historic Preservation Office does have a model ordinance on website to use if needed.

Koop told the Council it is good to have discussions on this. A city needs to be in this for the long haul and it will take time to get a Heritage Preservation Committee up and running.

Mayor asked Council about questions on presentation. None were made.

Mayor directed Staff to list their questions:

1. What is the impact as a Certified Local Government (CLG) relative to Heritage Preservation? Mayor asked if it's one or the other. Koop said you can do one or the other or both. Can chose to have ordinance and HPC

and have it simple and not apply to become a Certified Local Government. Or you can become a Certified Local Government.

Mayor asked if it is easier for the City to learn as you go. Council has a curiosity and is wondering if Buffalo should ease into it. Koop said that it is ok but maybe not the right answer. Part of the answer is to go to the community not just the Council. Where do the interests lie? Communities who get involved often have a lot of passion and then that energy dissipates over time. It's helpful to be mindful of being in it for the long haul. Some CLG are dormant, and this eventually becomes an issue as they have obligations to fulfill. Cities have been decertified when they don't fulfill the obligation. If an ordinance is passed the City needs to fulfill obligations. State enabling legislation states if by ordinance they are supposed to send annual report as to what they have done. Mayor asked if this is a staff person. Koop said often, but not always.

What's the cost to the city? Koop said there is no actual fee: however, if you are going to be doing some work on a regular basis, someone within staff ends up bearing that responsibility and that is a cost. You need to be willing to commit a certain amount of time to the tasks needed.

2. Once a building is deemed "significant," will the restrictions on design/construction and the like remain in perpetuity? Koop said generally speaking, with local designation the answer is yes.
3. How would a Heritage/Historic Preservation Commission work with existing advisory boards such as the Parks Advisory Board, the Planning Commission, and the Housing & Redevelopment Authority? Koop said this would be a standalone commission. It is not generally a commission that you would blend with another board. If ordinance isn't very strong and commission isn't going to be diving headfirst, then potentially the HPC could be folded in. He would not recommend that.
4. What impact would the requirements of a Heritage Preservation Commission have on the costs to improve a site or building? Koop said this depends on project itself such as design standards. These are typically guided by a consultant and assumed that a rehab of a building may cost more than doing it to certain standards, but that isn't always the case. Commission can provide guidance and hopefully add suggestions and advice, so prices aren't automatically driven up. The SHPO has staff that can help with this.

5. Time requirement? Koop said this varies on how often the HPC meets. Some meet monthly, some may need to call an emergency meeting. Others only meet quarterly if not needed to meet to review. Varies on agendas and having to deal with day-to-day basis. Many activities are a little farther down the horizon. They think ahead to protect resources. When commission is set up, they aren't likely going to be having an owner come before them. He said there is a natural concern or border-line fear that a commission will slow things down or stand in the way of development. He doesn't feel this happens very often. Gave an example of 3% from St. Paul permits that were denied. Mayor asked staff how many permits would be anticipated. Administrator Bodin said she'd have to do some research. Koop said this often depends on the level of activity of the community.

Audience Questions

1. Shala Holm asked if cities on map shown are certified. Koop said no. 60 some that are only certified, and some have ordinance but not certified local governments.
2. Shala Holm asked if there was a certified advisory board would there be funds to help established guidelines for facades. Koop said the funds are only available if certified.
3. Shala Holm asked how many permits would come through this commission. Administrator Bodin said she would have to research, but one that comes to mind would have been the St. Francis School.
4. Shala Holm asked if the commission deemed a building significant, but state or national level doesn't agree, does the local government still have the ability to deem it significant. Koop said yes you can locally designate property under ordinance. City is obligated to send to MHSO their proposed designation for them to review and comment.

Koop mentioned the downtown county site as there has been some discussion on if this could be a historical site. It would not be considered due to the two later additions.

Koop noted that for something to be listed the general rule of thumb is 50 years old or older.

Susan Mattson of the audience said she's interested in seeing what Dassel and Waseca did with the differences in ordinance language.

Shala Holm mentioned the St. Cloud HPC and their rebranding to change the perception from regulation with no benefit to educate public, help people care about heritage preservation and history behind building. She talked about initiatives they are doing such as the century home plaques. She said this is how she sees Buffalo's HPC working.

Jim Holm of the audience asked who on staff creates these ordinances. Koop said the SHPO website has a model ordinance.

Council Member Downer asked about the current ordinance and lack of bylaws. Community Planning and Economic Development Director Kelly said the Code didn't include standards to be a certified through the appropriate process.

Council Member O'Rourke asked if anything to stop a building from being torn down? Kelly said only if it was required to go before Planning Commission. As Koop mentioned earlier, if a private owner wants to move or demo a building they can.

Mayor asked if HPC can start as education and if that is an option. Koop said yes, it is possible, but he doesn't have any examples.

Council Member Downer asked who can make a nomination to get a building on national registry. Koop said technically anyone can, but a good national registration application should be done by someone who knows what they are doing as they are complicated.

Council Member Downer asked if certified as local government, can they tax/levy? Koop said no.

Koop discussed how a HPC might interact with the downtown plan statement "Preserve the authentic design qualities of historic buildings and encourage reuse and reinvestment." This aligns nicely with an HPC. Plans have broad goals and projections and are generally not a mandate. He feels they could co-exist.

Mayor asked residents in the audience if there would be an agenda item they would want to get started? Mayor liked the St. Cloud rebranding idea but there is a staff issue, we don't have staff to give specifically to this. Shala Holm would like to see an identifier with history by the WPA wall by the library. She said she has filled out forms to get the wall as a national site but was told she needed structural engineering for authenticity. If the City became a Buffalo community

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historical society, then Wright County would help. City could still make the wall a designated site. She would like to see murals up.

Jack McAlister of the audience asked if the National Historical Preservation disallowed the wall can the local entity still protect it? Koop talked about other organizations that fall under umbrella of federal relief period of the 1930's. They can generally tell if something has been altered too much or still retains integrity. Shala Holm asked about having an architect and Koop said he didn't feel it was necessarily.

There was discussion on if this would be involved in the HWY 25 Improvement Project being done by MnDOT. After brief discussion Administrator Bodin said this would be out of the scope of the HWY 25 project area.

Ross Miller of the audience said the wall is something that he wants the city to look at designating. Shala Holm would like the downtown vision to include the wall. Miller said another suggestion would be including the older areas in town, he feels the century home program would be good. Mayor asked what the group is looking for. Holm said they didn't have details. Miller mentioned mcmansions. Council Member O'Rourke asked for specific properties aside from the wall? Holm said some of the buildings downtown, Wide Street, the art building, and masons' building.

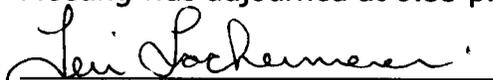
Shala Holm invited the Council and staff to the Wright County Historical meetings that are held on the 4th Tuesday of each month at 6:30 p.m. at the Wright County Historical Society building.

Koop stated that one option would be to consider doing the century home program without an ordinance. There are some out there such as Duluth. A recognition program could be operated by itself not necessarily with city authority or commission proper.

Shala Holm mentioned HRA program funding to help with keeping homes.

ADJOURN

Meeting was adjourned at 6:35 p.m.



Mayor



City Clerk