

BUFFALO HERITAGE PRESERVATION ADVISORY BOARD BYLAWS FOREWORD

HISTORY

In the Buffalo City 1992 book of agendas, on pages 12, 67, 69, and 84, there is reference to a Historical Preservation Task Force - calling for interested people on July 20, 1992, and then formation of the task force on August 3, 1992. In the 1993 Council agendas, on February 16, 1993, there is mention of converting the task force to an Advisory Commission by ordinance, then mention in the May 17, 1993, agenda that there would be a call for a public hearing on the proposed ordinance. That hearing was scheduled for June 21, 1993 and the minutes of that meeting indicate a unanimous Council vote for the ordinance that exists with the date 1994 at the bottom and a copy of that original ordinance which existed until the 2020 recodification, is here attached to these bylaws.

The next mention found of the Buffalo Heritage Preservation Advisory Commission is in the agenda for the April 17, 2006 council meeting (Council at the time was Fred Naaktegeboren as Mayor, then Dean Schmidt, Del Haag, Teri Lachermeir, and Bob Mobley) had as item #7 the Heritage Preservation Advisory Commission. Included in that agenda is three pages directly associated with the Heritage Preservation Advisory Commission and the ordinance.

Item #4 four in the packet is the portion of the minutes of the April 17, 2006, Council meeting wherein the council unanimously voted to reorganize/restore the Historic Preservation Advisory Commission, per the three pages in the agenda, which is the original ordinance. Nowhere is there mentioned as to why it had fallen by the wayside, nor has it been found at the time of the establishment of these bylaws, anything in any of the records where annual appointments have been made to this Advisory Commission, regardless of how many times it had been set/confirmed as an ordinance by the council.

In the fall of 2019, a City Council agenda item referenced deleting the ordinance. Several Community members objected and called for the meaningful revival of the Heritage Preservation Advisory Commission. The matter was tabled for further research and discussion, then COVID-19 hit, and the matter was tabled long-term. In the fall of 2020, the city ordinances were recodified, and what was once Ordinance Sec. 2.57 became Division 3, Section 2-130 of the City Code, with a summary of membership and purpose, and an understanding that the remainder of the old ordinance was to serve as a framework for writing the by-laws.

As the pandemic slowed, the matter was again revisited, and interest continued. A Council workshop was held on the date of March 21, 2022, with a presentation done by State Historic Preservation Office. On April 18, 2022, the matter was presented to the Council and the Advisory Board was confirmed unanimously as the Buffalo Heritage Preservation Advisory Board, with explanation as to why the city chose to not make it a Commission at this time.

The Advisory Board recommended membership was appointed by the City Council on June 21, 2022. The first meeting of the Advisory Board was held on Monday, July 11, 2022, and a first task was to elect officers, set meeting dates, and to begin to establish the by-laws.

CITY COUNCIL PURPOSE STATEMENT

The Council finds that the historical, architectural, archeological, engineering, and cultural heritage of the City are among its important assets. This philosophy is supported by funding from the Buffalo HRA to produce the City Of Buffalo Historic Context Study in 2011 and also supported by the Downtown 2040 Plan, dated April 2021 wherein one of the goals is *“to recognize and promote the historic culture of downtown”* and two of the Principles are *“preserve the authentic design qualities of historic buildings and encourage reuse and reinvestment”* and *“respect and respond to the local character and identity of downtown Buffalo.”* Therefore, this section is adopted 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 the city.

BY-LAWS OF THE BUFFALO HERITAGE PRESERVATION ADVISORY BOARD

Established in 2022 to reflect the 2020 recodification of City Ordinances

These by-laws will be in force upon adoption by the Buffalo Heritage Preservation Advisory Board on September 12, 2022 and upon the ratification of the By-laws by the Buffalo City Council on September 19, 2022.

ARTICLE I – IDENTIFICATION

This Committee shall be known as the Buffalo Heritage Preservation Advisory Board.

ARTICLE II – PURPOSE

The purpose of the Buffalo Heritage Preservation Advisory Board is 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. The board shall promote research and dissemination of information regarding the heritage of Buffalo, MN, seek resources available to the City of Buffalo and its citizens, and advocate for and enable the heritage preservation of the City of Buffalo.

The board serves in an advisory capacity to the Buffalo Planning Commission and City Council and acts as a communication line between the Buffalo Citizens and the two government entities.

ARTICLE III – POWERS AND DUTIES

In general, the Heritage Preservation Advisory Board shall work to preserve buildings, land areas or districts which are determined by the Board to possess particular cultural or educational value (herein referred to as “a Heritage Preservation Site”) and to that end it shall promote the designation of Heritage Preservation Sites applying the following standards:

- A. The character, interest or value as part of the development of heritage or cultural characteristics of the City, State, or Nation.
- B. The location as a site of a significant historic event.
- C. The identification with a person(s) who significantly contributed to the culture and development of the city.
- D. The embodiment of distinguishing characteristics of an architectural style, period, form or treatment.
- E. The identification as work of an architect or master builder whose individual work has influenced the development of the city.
- F. The embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural innovation.

- G. The unique location or singular physical characteristics representing an established and familiar visual feature of a neighborhood community for the city.

The Board shall study and recommend to the Planning Commission and City Council the following:

- A. The survey and designation of districts, sites, buildings, structures, and objects that are of historical architectural, archeological engineering, or cultural significance.
- B. The enactment of rules governing construction, alteration, demolition, and use, including the review of building permits and the adoption of other measures, appropriate for the preservation, and perpetuation of designated properties and areas.
- C. The acquisition by purchase, gift, or bequest of a fee or lesser interest, including preservation restrictions in designated properties and adjacent or associated lands which are important for the preservation and use of the designated properties.
- D. Requests to the Council to use its power of eminent domain to maintain or preserve designated properties and adjacent or associated lands.
- E. The sale or lease of air rights
- F. The granting or variations to a zoning ordinance
- G. Participation in the conduct of land use, urban renewal, and other planning processes undertaken by the city.
- H. The removal of blighting influences, including signs, unsightly structures, and debris, incompatible with the physical well being or designated properties or areas.

Procedure for Designation of a Heritage Preservation

- A. Either prior to, or subsequent to, a hearing as hereinafter provided for, the Heritage Preservation Advisory Board may recommend to the City Council, after review by the Planning Commission, that certain property eligible for designation as a Heritage Preservation Site be acquired by the City either by gift, devise, negotiation, or eminent domain.
- B. The Heritage Preservation Advisory Board may, and upon the request of an owner of an interest therein, shall recommend to the City Council the designation of a specifically described building, land, area, or district as a Historic Preservation Site.
- C. Designations of a Heritage Preservation Site shall be by ordinance adopted by the City Council, only after a public hearing before the City Council, upon thirty (30) days published notice and mailed notice of (1) all owners of the proposed Heritage Preservation Site (2) all owners of real property within 300 feet of the borders of the proposed site and (3) all members of the The Heritage Preservation Advisory Board and the Planning Commission.

PERMIT: No permit shall be issued for constructing a building, remodeling a building, moving a building, or demolishing a building on a Heritage Preservation Site or District

until it has been approved by the City Council upon recommendation of the Heritage Preservation Advisory Board Planning Commission.

Effective Date:

ARTICLE IV – MEMBERSHIP

The membership of the Heritage Preservation Advisory Board shall consist of no more than five (5) voting members, one (1) of which must be a member of the Buffalo City Council. The Chair of the Buffalo Planning Commission will have ex-officio membership on the board. Ex-officio members are not voting members.

Representation – Board members are appointed and approved by the Buffalo City Council. Membership will be restricted to residents of the City of Buffalo. If available, one member shall also be a member of the Wright County Historical Society. The Chair of the Buffalo Planning Commission is an Ex-officio member and has no vote on the board. He/She will serve in an advisory capacity regarding the Planning Commission and ordinances and as liaison between the board and the Planning Commission.

Terms of Membership – The term of the citizen members shall be three years, with terms of membership staggered to allow for a rotation pattern. A member may apply to renew their term membership through the application process afforded to all citizens of Buffalo. The Council Liaison shall serve a one-year appointment, at the discretion of the Mayor and Council. The Ex-Officio member seat will be always filled with whoever fills the Planning Commissions Chair position.

Disqualifications, Vacancies – Any member who moves out of the city limits of Buffalo, and/or who otherwise voluntarily resigns their membership on the board shall be responsible for notifying the board Chair in writing. Upon receipt of such notification, The Chair shall promptly relay the written resignation to city administration, who shall bring the notification to the Council to request that the seat be declared vacant and to request permission to open applications for replacement. Any person filling the vacant seat will fill it for the duration of the existing term. Missing more than three (3) meetings in a twelve-month period without explanation (unexcused) may result in a recommendation for removal from the Board

ARTICLE V – OFFICERS

Officers shall be chosen from and by the membership regular, annual meeting in January to serve for one (1) year. The officers shall consist of a Chairperson, Vice-Chairperson, and Secretary.

No Chairperson shall be elected who has not completed at least one (1) year as a member of the Board. Vacancies in office shall be filled by vote at the next regular meeting of the board after the vacancy occurs.

Elections – Nominations for officers may be made from the floor. Each candidate elected assumes office at the end of the previous officer's term.

The duties of the officers are as follows:

Chairperson – The Chairperson shall preside over the board meetings, call the meeting of the board to order at the appointed time, state and put all questions properly before the board, and preserve order. The Chairperson has the authority to establish committees and appoint members to committees if there are no volunteers.

Vice-Chairperson – The Vice-Chairperson assumes the duties of the Chairperson in their absence. At the end of each calendar year, the Vice-Chairperson will prepare an annual report of the year's activities.

Secretary – The Secretary assumes the duties of the Chairperson and Vice-Chairperson in their absence. The Secretary shall keep an accurate record of all proceedings of the board meetings. The Secretary maintains a record of attendances and absences. The Secretary shall distribute clearly marked *Draft* copies of the minutes to all members and to city administration within 7 days of the meeting. The Secretary, upon receiving board approval of the minutes of any meeting, shall, within 7 days of that approval, distribute copies of the approved minutes to the board membership and to the city administration.

ARTICLE VI – MEETINGS

The Heritage Preservation Advisory Board shall hold regular meetings at a time established and approved by the Buffalo City Council. The board shall meet on the second Monday of each month at 5 PM at Buffalo City Hall in the Council Chambers. The board shall meet at least two times per year. The regular meeting shall be cancelled by the Chair, in coordination with the city administration, if there is insufficient business.

Special meetings of the board may be called by the Chair, or upon written request of three (3) members, for the transaction of business as stated in the meeting request. Notice stating the time and place of any given special meeting and the purpose for which called shall be given each member at least five (5) days in advance of the meeting, and posted on the public forum

A quorum for transaction of business shall consist of a simple majority of voting members of the board.

Order of business at regular meetings shall be:

1. Call to order
2. Visitors/Open Forum
3. Adoption of/amendment to agenda
4. Review and Approval of the Minutes

5. Reports
6. New Business
7. Unfinished business
8. Assignments
9. Call to Adjourn

ROBERT'S RULES OF ORDER, latest revised edition, shall govern the parliamentary procedure of the meetings.

ARTICLE VII – COMMITTEES

The Chair shall appoint committees for study and/or projects as the need arises.

ARTICLE VIII – AMENDMENTS

Amendments to make or alter the bylaws of the board shall be vested in the members, subject to approval of the Buffalo City Council. Amendments shall be upon affirmative vote of two-thirds (2/3) of the voting members, providing the amendment was stated at the preceding meeting.