

HISTORIC DISTRICT COMMISSION

Council Chambers, City Hall
70 Maple Street
Manistee, MI 49660

MEETING MINUTES

August 7, 2014

A Meeting of the Manistee City Historic District Commission was held on Thursday, August 7, 2014 at 3:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 3:00 p.m. by Chair Kracht.

ROLL CALL:

Members Present: Dave Carlson, Teena Kracht, John Perschbacher, Mary Russell, Thomas R. Smith,

Members Absent: T. Eftaxiadis (excused), Vacancy

Others: Mitch Deisch (City Manager), Mark Niesen (Building Inspector), Mark Fedder (Museum Director), Steve Harold (Museum Curator) and Denise Blakeslee (Planning & Zoning Administrator)

APPROVAL OF AGENDA:

MOTION by John Perschbacher, seconded by Mary Russell that the Agenda be approved as prepared.

With a voice vote this motion passed unanimously.

APPROVAL OF MINUTES:

MOTION by John Perschbacher, seconded by Mary Russell that the Minutes of the July 10, 2014 Meeting be approved.

With a voice vote this motion passed unanimously.

NEW BUSINESS:

337 River Street, Water Damage

The Commission has received a report that water damage is occurring at the building at 337 River Street (former H & K Building). A portion of the roof membrane had blown off and when it rains the water pours directly into the building.

The Commission operates under the regulations of the Local Historic Districts Act, Act 169 of 1970 and Chapter 1280 Historic District of the Code of Ordinances. The Commission can take action to preserve buildings under the following:

Section 1280.02 DEFINITIONS

E. *"Demolition by Neglect" means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.*

Section 1280.15 DEMOLITION BY NEGLECT

Upon a finding by the Commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with Demolition by Neglect, the Commission may do either of the following:

- A. *Require the owner of the resource to repair all conditions contributing to demolition by neglect.*
- B. *If the owner does not make repairs within a reasonable time, the Commission or its agents may enter the property and make such repairs as necessary to prevent Demolition by Neglect. The costs of the work shall be charged to the owner, and may be levied by the City of Manistee as a special assessment against the property. The Commission or its agents may enter the property for purposes of this section upon obtaining an order from the Circuit Court.*

Members of the Commission were asked to take a walk around and look at the building prior to the Meeting. Staff met with the Building Inspector and a report was presented to the Commission on their findings including:

- ❖ Front Façade
 - Looking through storefront windows
 - Floor is heaved indication of water damage

- Report that Rubberized roof membrane has blown off and then removed resulting in water pouring directly into building
- Upper Story Windows
 - Window Sills are rotten
 - Paint on Window Panes peeling leaving wood exposed to the elements
 - Upper Story Window broken pane, needs to be boarded up or replaced
- ❖ East Façade
 - Spalling Brick
 - Missing Mortar
 - Large Cracks
 - Broken Window panes
 - Structural Concern
 - Wall above middle widow is “bowed”
 - Appears to be an opening above the window that is missing brick approx. 4-6 inches
- ❖ South Façade
 - Spalling Brick
 - Missing Mortar

Museum Director Mark Fedder researched the property and reported to the Commission his findings which included photographs, one included the cornice/dental work on the top of the building that currently is covered by wood, a newspaper article when the Manistee Business College was located on the second floor. Previous tenants included a photographer, the A&P Store and Hardware Store and H&K Electric.

Commissioners discussed the current condition of the building and determined that the owner of record needs to be noticed to complete emergency repairs.

Steve Harold spoke about the need to ventilate the building after the roof is installed to remove moisture caused by the water damage before the windows are secured.

Building Inspector Mark Niesen expressed his concerns about the roof, the bowed wall on the east façade, and the need for a structure report.

MOTION by John Perschbacher, seconded by Dave Carlson that the Historic District Commission has determined that the building at 337 River Street (commonly known as the H&K Building) is in a condition of “Demolition by Neglect” and that the following emergency repairs are of such a nature to preserve the building that they need to be made immediately while the commission continues their review of the building.

- Roof - the roof needs to be repaired to weatherize the building from the elements.

- Broken Windows - all broken windows need to be temporarily secured from the elements once the roof has been repaired and the building is ventilated.
- East Façade/Structural members (i.e. roof rafters, floor joists) - Engineering to determine if the structural integrity of the East Façade and structural members has been compromised due to neglect.

The Historic District Commission is requiring these repairs under Section 1280.15 of the City of Manistee Code of Ordinance which reads as follows:

1280.15 DEMOLITION BY NEGLECT

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- A. Require the owner of the resource to repair all conditions contributing to demolition by neglect.*
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The Chair of the Commission will execute the necessary documents on behalf of the Commission.

With a roll call vote this motion passed 5 to 0.

Yes: Carlson, Perschbacher, Smith, Russell, Kracht
No: None

Staff will have the City Attorney review the letter and make any necessary changes before the Chair Signs the letter. The Commission discussed the time frame for completion of repairs and discussed that 30 days would give the owner sufficient time to begin repairs and arrange for a structure report.

The letter will include language to invite the property owner to the September Meeting to discuss progress and to continue their evaluation of the building.

OLD BUSINESS

Staff discussed the need to follow up with John Smith about the demolition of the Ice House on the rear of 435 River Street. The commission has been discussing the need for the structure to be removed since 2007. The Commission last spoke with Mr. Smith at their meeting on September 9, 2013.

Excerpt from September 9, 2013 Historic District Commission Meeting Minutes relating to the Ice House.

John Smith, 435 River Street – Icehouse and Oak Street Entrance

Mr. Smith - spoke of the Icehouse and his concern about how it is structurally tied into the adjoining building. He proposed that during demolition a portion of the adjoining wall to the west remain to provide support.

Mark Niesen, Building Inspector - said that he would require engineering because of the situation and because it is a commercial building.

Mr. Smith - agreed that the west wall needs to be removed.

The Commission discussed the concern about the structural integrity of the adjoining building and since engineering is required by the Building Inspector prior to demolition determined that engineering should be done and reviewed by Mark Niesen, Building Inspector; then the demolition request can come to the Commission; Ms. Blakeslee with assist Mr. Smith with the application process.

City Manager Mitch Deisch said that he will speak with the City Attorney and a letter will be drafted to Mr. Smith.

MOTION by John Perschbacher, seconded by Thomas R. Smith that staff is to contact John Smith and include a timeline for demolition of the Ice House.

With a roll call vote this motion passed 5 to 0.

Yes: Perschbacher, Carlson, Russell, Smith, Kracht

No: None

PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA

None

CORRESPONDENCE

None

STAFF REPORTS

Mark Fedder, Museum Director – Issued a permit to Ed Kriskywicz, 387 River Street for Paint Colors.
Issued Permit #PHDC14-012

MEMBERS DISCUSSION

Commissioner Perschbacher spoke to the Commission on the sale of the Peterson home on Maple Street. He spoke with the new owners and talked about the renovations they are doing to the home.

Discussion on the former Lyric Theater and the possible purchase and renovations to the building.

The Next meeting of the Historic District Commission will be on Thursday, September 4, 2014 at 3:00 p.m. in the Council Chambers, City Hall, 70 Maple Street.

ADJOURNMENT:

MOTION by Tom Smith, seconded by John Perschbacher that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 4:03 P.M.

MANISTEE HISTORIC DISTRICT COMMISSION

Denise J. Blakeslee, Recording Secretary