



Historic Preservation Commission Agenda

9:00 a.m. Regular Meeting
Wednesday, March 13, 2019
City Hall: Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Adoption of the Agenda**
3. **Minutes** - Approval of minutes from 02/13/2019 meeting
4. **Visitors to be Heard**
5. **Old Business**
 - a. Updates on CLG and next steps
 - b. Update on S. University Historic District
6. **New Business**
 - a. Bylaws
7. **Adjourn**

Access the Historic Preservation Commission Agenda on the web – www.vermillion.us

Addressing the Commission: Persons addressing the Council shall be recognized. Please raise your hand to be recognized and state your name and address.

a. Items Not on the Agenda Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

b. Agenda Items: Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only commission members and staff may discuss the current agenda item unless a commission member moves to allow another person to speak and there is unanimous consent from the commission. Questions from commission members, however, may be directed to the public through the presiding officer at any time.

Meeting Assistance: The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

Unapproved Minutes
Historical Preservation Commission
Wednesday February 13, 2019 Regular Meeting

The regular meeting of the Vermillion Historical Preservation Commission was called to order in the Small Conference Room at City Hall on February 13, 2019 at 9:00 a.m.

1. Roll Call

Present: Cyndy Chaney, Jim Wilson, Susan Keith Gray, Gloria Hensley, Dietrik Vanderhill, Ed Gerrish, William Dendinger

Absent: None

Staff present: John Prescott, City Manager

James Purdy, Assistant City Manager

Jose Dominguez, City Engineer

2. Adoption of the Agenda

Gloria Hensley moved that the Commission adopt the agenda as presented, seconded by Cyndy Chaney. The motion carried.

3. Approval of the Minutes

Gloria Hensley moved that the minutes be adopted, seconded by Ed Gerrish. The motion carried.

4. Visitors to be Heard

No visitors were present.

5. Old Business

5a. Updates to the webpage

5b. Discussion regarding the potential creation of a new historical district along S. University St.

5a. James Purdy, Assistant City Manager, stated that the Historic Preservation Commission's webpage on the City's website has received some updates. The webpage now includes the Commission's mission statement, as well as helpful links. The next phase of updating the webpage will include a list of all historic properties in Vermillion.

5b. Commissioner Wilson stated that the interest has existed for many years for there to be a S. University St. historical district. Chairwoman Keith Gray asked Commissioner Wilson to help guide the Commission through the process. Commissioner Wilson stated that the most basic next step is to get a list of property owners at the County or City. After that, the Commission would need to schedule a public meeting, advertise the meeting, and send out postcards to all the property owners and residents to notify them of the meeting. Commissioner Wilson stated that the Clay County Historical Commission would pay for postcards.

The Commission then discussed possible locations for the meeting. Some proposed locations close to the proposed district were Jolley Elementary school, and the United Church of Christ.

Commissioner Wilson stated that the meeting topics would include some history about the district, benefits of becoming a historical district, addressing misconceptions about historical districts, and a question and answer session.

The boundaries of the new district were discussed. By the next regular meeting, the City will provide a list of properties in that area, Commissioner Gerrish will design the postcards, Chairwoman Keith Gray will contact potential locations for the meeting, and City Staff will bring a sign-in-sheet for the next meeting to help the Commission keep track of their hours.

6. New Business

6a. John's CLG discussion with Liz from the State Historical Society
6b. Discussion regarding the relationship between the City and County Historic Preservation Commissions

6a. John Prescott, City Manager, states that he spoke to Liz with the State Historical Society, and that she was able to answer a number of his questions. John Prescott stated that the CLG documentation requirements are not overly stringent when compared to grants the City typically receives. John Prescott stated the Commission may want to establish bylaws, and stated that grant applications are due March 31st. John Prescott also stated that this does take City Council approval, and that the Commission could conduct an educational session for the Council at the March 4th noon meeting.

6b. Commissioner Wilson, speaking on behalf of the Clay County Historic Preservation Commission, stated that the Commission would like to hire an intern to do scanning projects, and help with storing historical documents. Commissioner Wilson stated that this could be one of the ways the County Commission can partner with the City Commission. John Prescott, City Manager, stated that there is office space available in City Hall where an intern could do some scanning, if the County Commission does hire an intern. The City Commission also has a presence in the County Commission's newsletter.

Some topics the Commission would like to discuss at future regular meetings are 1) planning future educational workshops, 2) discussing the progress of the new historical district, 3) an update on the webpage, 4) making sure the City Commission gets their CLG paperwork submitted, and 5) adopting bylaws.

Note: the next meeting of the Vermillion Historic Preservation Commission will be March 13th, due to the University's spring break.

7. Adjourn

Moved by Commissioner Hensley to adjourn, seconded by Commissioner Gerrish. Motion carried at 9:30 a.m.

Vermillion Historical Preservation Commission

BY-LAWS

Historic Preservation Commission of the City of Vermillion, South Dakota

ARTICLE I - DUTIES AND FUNCTIONS

Section 1 – Historic Preservation Commission Duties.

- (a) The purpose of the Vermillion Historic Preservation Commission is to hold public meetings and workshops intended to help residents learn about historic preservation, to document and publish information about historic preservation and historic sites, to promote the use and conservation of historic properties, and to offer guidance in the preservation of these properties for the education, inspiration, please, and enrichment of the citizens of this city and this state.
1. The Commission shall make recommendations to the Vermillion City Council on requests for City funding or action on historic properties or resources.
 2. The Commission may nominate historically significant private property to the State and National Registers of Historic Places with the written approval of the property owners. It may nominate significant public property to the State and National Registers of Historic Places with the consent of the City Council.
 3. The Historic Preservation Commission shall maintain a collection of historic preservation information and archival data on historically- significant structures within the City.
 4. The Commission shall also conduct development reviews of projects proposed for historic properties in accordance with State Law.
 5. The Historic Preservation Commission shall assist private property owners by providing them with information regarding historic preservation programs.
 6. The Historic Preservation Commission shall carry out all duties set forth in Chapter of the Vermillion City Code.
- (b) The Historic Preservation Commission may expend funds in accordance with City for training, education, travel, and other expenses which may be incurred in carrying out the duties and functions delegated to the Commission by the City Council and as prescribed by statute and ordinance. The Commission may contract, with the approval of the City Council, with municipal planners, engineers, and architects and other consultants, or persons or entities, for such services as it requires.

- (c) The Commission shall make an annual report to the City Council on or before September first of each year, and at such other times as the City Council may direct.

ARTICLE II – MEMBERS

Section 1 - Composition.

- (a) The Historic Preservation Commission shall consist of seven (7) members who shall reside within the City of Vermillion, four of whom are to be owners in one of the officially designated Historic Districts within the City of Vermillion when available in the community, and who shall serve without pay and shall be appointed to the commission as hereinafter provided for. It is recommended that at least two individual members shall have expertise and interest in such fields as history, architecture, urban planning, archaeology, paleontology, and law as available in the community.
- (b) The terms of the original members shall be varied in order to assure that no more than one-third of the appointments shall be for a full three year term with the remaining appointments divided between one and two year terms.
- (c) Vacancies occurring other than through the expiration of term shall be filled for the remainder of the unexpired term in the same manner as for appointment.

Section 2 - Compensation.

- (a) All members of the Historic Preservation Commission shall serve without compensation except for preapproved actual expenses which shall be subject to the approval of the Historic Preservation Commission and City Council.

Section 3 - Attendance.

- (a) If the Commission makes a determination that a member has more than three (3) unexcused absences, there is justified cause for the Commission to review, with the option to recommend removal. The Mayor with the confirmation of the City Council, shall have authority to remove any member of the Commission for cause which cause shall be stated in writing and made a part of the record of the hearing.

Section 4 - Removal for Cause

- (a) The Mayor, with the confirmation of the City Council, shall have authority to remove any member of the Vermillion Historic Preservation Commission for cause.

ARTICLE III - OFFICERS

Section 1 - Offices.

- (a) The following offices shall be maintained: Chair, Vice Chair and Secretary. Such additional offices as may be necessary may be created from time to time.

Section 2 - Election of Officers.

- (a) The Chair, Vice Chair and Secretary shall be elected by the Historic Preservation Commission at its first meeting after the annual appointment of members into the open seats. The term of office of the Chair, Vice Chair and Secretary shall be one year and all officers shall be eligible for reelection.

Section 3 - Chair Duties.

- (a) The Chair shall preside at all meetings of Historic Preservation Commission, shall notify the Vermillion City Council and other involved bodies of the recommendations and actions of the Commission, shall sign documents on behalf of the Commission, shall see that all decisions of the Commission are properly carried out, shall recommend a historic preservation agenda to the Commission, and shall perform other duties and functions as may be determined by the Commission. The Chair may select other members of the Commission to assist in carrying out the duties of the office.

Section 4 - Vice Chair Duties.

- (a) The Vice Chair shall perform the duties of the Chair in the absence of the Chair and shall perform such other duties as may be assigned by the Commission. The Vice Chair may select other members of the Commission to assist in the carrying out of the duties of the office.

Section 5 - Secretary Duties

- (a) The Secretary shall assist such staff as is available to keep the minutes and records of the Commission and such other duties as are normally carried out by the Secretary. The Secretary shall act for the Chair and Vice Chair should both be absent.

ARTICLE IV – COMMITTEES

Section 1 - Appointment.

- (a) The Chair, with the concurrence of the Historic Preservation Commission may establish such committees as may be necessary for the conduct of the business of the Commission. The Chair shall appoint the members of such committees.

Section 2 - Committee Meetings.

- (a) Any meetings of committees created pursuant to this section shall be held in accordance with all applicable sections of the South Dakota Codified Laws and the requirements of the Vermillion Municipal Code. All members of the Commission shall be entitled to attend meetings of the Committees.

ARTICLE V - MEETINGS

Section 1 - Meetings.

- (a) A quorum shall consist of a majority of the Commissioners and shall be required in order for the Commission to make recommendations. In addition, a simple majority of the current membership shall be required for recommendations involving buildings, structures, and property which are officially designated as Historic Sites or which are located within officially designated Historic Districts.
- (b) The minutes shall be taken of any meetings open to the public pursuant to the provisions of this section, and shall be promptly recorded. The minutes shall be open to the public at the City Manager's Office during normal business hours.
- (c) The Historic Preservation Commission may hold executive sessions for the purpose of considering personnel matters, employment contracts, negotiations or pending litigation within the confines of the attorney-client privileges recognized by state law, and other information provided in confidence to the Commission, which shall not be subject to the provision of this section; provided, however, that nothing in this section is intended to authorize executive sessions where the same are otherwise prohibited by the statutes of the State of South Dakota or the Vermillion Municipal Code.

Section 2 - Regular Meetings.

- (a) Regular meetings of the Commission shall be held at least four times per year. At such meetings the Commission shall consider all matters properly brought before the Commission as set forth on the agenda, pursuant to the provisions of Section 9 of this article.

Section 3 - Special Meetings.

- (a) Special meetings shall be held upon the call of the Chair or Vice Chair or upon written request of two members of the Commission. Notice of special meetings shall be given at least twenty-four hours prior to any meeting by posting a copy of the notice, visible to the public at the principal office of the Historic Preservation Commission. Such notice shall set forth the time, place, date and purpose of the meeting.

Section 4 - Work Sessions.

- (a) The Chair may establish regularly scheduled work sessions.

Section 5 - Agenda.

- (a) The agenda for regular meetings shall be prepared under the direction of the City Manager's Office.

Section 6 - Time and Length of Meetings.

- (a) The regularly scheduled meetings of the Historic Preservation Commission shall convene at a time set by the Commission. However, should the agenda be lengthy, the Chair of the Commission may continue the meeting to a specific date and time as set by the Commission.

Section 7 - Presence of Applicant.

- (a) If an individual with business before the Commission, or authorized representative is not present, the item may be tabled, however, the Chair may move the item to the end of the agenda to allow the applicant additional time to appear.

Section 8 - Quorum.

- (a) A quorum shall consist of a majority of the Commissioners and shall be required in order for the Commission to make recommendations.

Section 9 - Commission Action.

- (a) In all applications coming before the Commission, the affirmative vote of a majority of those present and voting shall be required to approve, approve with conditions or deny an item. In the event of a tie vote, the motion shall fail. The Chair may vote on all matters to come before the Commission. Members voting shall be in attendance at the meeting. Commission members may attend and vote in the meeting via technological means such as a telephone conference call. No voting by proxy shall be allowed.

Section 10 - Rules of Procedure.

- (a) All meetings shall be conducted in accordance with these bylaws. Where these bylaws do not prescribe specific procedural rules, the Historic Preservation Commission shall conduct all business in general compliance with Parliamentary Procedure.
- (b) In conducting a survey of local historic properties, the Commission shall comply with all applicable standards and criteria of the statewide survey undertaken by the South Dakota Historical Society. A member of the Commission, or any individual acting on behalf of the Commission, may be authorized to enter upon any private property, building, or structure for examination and/or survey if, prior to the date of the examination and/or survey, they receive the express written consent of the owner or occupant and the approval of the City Manager.

ARTICLE VI - CONFLICT OF INTEREST

Section 1 - Disclosure of Conflicts of Interest.

- (a) No member of the Commission shall participate in the discussion about any matter or vote on

any matter that may affect the property, income, or business interests of that member.

ARTICLE VII - AMENDMENT

Section 1 - Amendment of Bylaws.

- (a) These bylaws may be amended at any regular meeting of the Historic Preservation Commission, provided that the proposed amendment has been introduced in writing at the prior regular meeting of the Commission. Amendment of the bylaws shall require the affirmative vote of a simple majority of a quorum of the Historic Preservation Commission, and shall become effective upon approval by the Vermillion City Council.

Adopted by the Vermillion Historic Preservation Commission on Adopted by the Vermillion City Council on , 2019

Chairperson

Mayor

Finance Officer