

City of Bainbridge Island
HISTORIC PRESERVATION COMMISSION
January 5, 2017

IN ATTENDANCE:

COBI Staff Members:

Kelly Tayara (City Planner), Ronald Peltier (City Council), Joseph Levan (City Attorney), Joseph Deets (City Ethics Commission). **Note:** Mr. Levan, Mr. Peltier and Mr. Deets did not attend the full meeting

HPC Members:

David Williams, William Shopes, Sandra Burke, Marcia Montgomery, Adrienne Wolfe, Carol Oas, Francis Jacobson

Other Attendees:

Rick Chandler (Curator, BIHM) Jim Schumacher (Assistant, BIHM) Michael Rees (Ft Ward property owner)

CALL TO ORDER / APPROVALS / CONFLICTS

- Mr. Williams called the meeting to order at 2:00 pm
- Three items was added to the agenda
 - o Mr. Chandler and Mr. Schumacher wanted to discuss the finding of a dam on the Winslow Ravine near the Winslow Way bridge
 - o Ms. Burke wanted to discuss an article regarding an attempt to construct a parking garage at the current museum location and move the museum
 - o Mr. Ron Peltier will be visiting the Commission to discuss changes / additions to the Historic Profile for the Comprehensive Development Plan
- The Minutes from December 8, 2016 were approved with a few wording changes sent by Mr. Williams to Mr. Jacobson
- There were no conflict of interests to report

NEW BUSINESS

- Request for COA for roof replacement at 1632 Parkview Dr.
 - o The status of the current roof and proposed changes
 - Mr. Rees stated that the current roof was constructed in 1974 and has been showing signs of stress such as leaking particularly around the three skylights.
 - The new roof would be similar in terms of color and material. The only major difference would be changes to the edge of the roof in order to improve rainwater runoff.
 - o Research and Discussion
 - Ms. Tayara researched and stated the Secretary of Interior standards for a Certificate of Appropriateness (COA)
 - As the requested action does not significantly alter the structure she believes that a waiver would be more appropriate. A COA would require substantiated findings upon the part of the Commission
 - Some members of the Commission were concerned that by issuing a waiver we would be creating a precedent as this is our first property to be looked at after the passage of the new ordinance
 - To avoid setting a precedent, this waiver needs to state for the record the reason for waiving the need of a COA
 - The reason for the waiver is that because the replacement roof will have the same materials, composition and color there will be no significant alteration to the structure.

- o Conclusion
 - Waiver issued due to findings that no substantial alterations are being made as the visible characteristics have not changed.
- Demolition Permit – 4755 Taylor Ave
 - o Finding of Facts
 - Owners are Terry Samilson and Allyn Stellmacher
 - House constructed in 1910 by Joel Anderson and previous owners, William and Cecelia Brewer had lived in the house since the 1950s
 - Reason for demolition: “Building past its useful life”
 - Reason for request: Will replace this with a new SFH but dimensions were not given.
 - o Discussion and Conclusion
 - Ms. Samilson had come to the Commission earlier about this same house in terms of having it placed on the Register
 - Approved demolition as fait accompli
- Demolition Permit – 4089 Pleasant Beach Dr.
 - o Finding of Facts
 - Owners are Bruce and Beth Guy
 - The home is a one-story two bedroom beach cabin built in 1923
 - The applicants gave no reason why the house should be demolished other than to state they wished to replace it with a larger structure with more amenities
 - o Discussion and Conclusion
 - Ms. Montgomery stated that this is a structure worth preserving
 - Ms. Wolfe suggested a possible act of mitigation would be to have the Nickel Brothers (a house moving company from Marysville, WA) to move the house onto a barge.
 - o While this would take the house out of its waterfront context, the house would be preserved and the demolition costs covered
 - o When asked if the Guys had considered this option, Ms. Tayara said she did not know but will contact Kari Carr who is the City Planner working on this application
 - The demolition (or removal, if chosen) was allowed

SPECIAL PRESENTATION

- Open Meetings Act – presented by Joseph Levan, City Attorney
 - o Reasons for the OMA – People don’t yield sovereignty to local governments and all meetings and votes must be public
 - Meetings includes anything involving discussions, deliberation, public testimonies and valuations
 - Any informal meeting, phone conversation discussing committee business is an illegal meeting
 - o What can and cannot be controlled at public meetings
 - Meetings must be open to the public and the public must be allowed to make comments
 - While comments cannot be blocked, conduct can be controlled in order to keep the meeting safe and civil
 - Time limits on public comment are not a violation
 - Keeping items limited to what is on the agenda is not a violation
 - o Not all meetings of committee, commission or council meetings would be a violations of the Open Meetings Act

- If a majority was in attendance at a training session or other meeting not related to their mission, this would not be a violation (an illegal meeting)
 - If they got together and began discussing things that did not involve official business is not a violation (an illegal meeting)
 - Once public business is discussed than a violation has occurred
 - o Not all meetings involving official business must be open to the public
 - Executive sessions that deal with sensitive material, such as personnel matters, are not to be open to the public as they do not have an impact on the public.
 - o Penalties for OMA violations
 - The member who knowingly violates the law is subject to a \$500 fine
 - The governing body is subject to liability damages
 - Actions resulting from the illegal meeting are automatically void
 - o Special Meetings can be called
 - Minimum of 24 hour notice
 - The agenda, which must be made public, cannot be added to
 - o Electronic Communication
 - Must be from a server accessible to the public body
 - Can ask for passive receipt
 - Cannot involve any vote or intention to vote on public decisions
- Public Records Act – presented by Joseph Levan, City Attorney
 - o The basic requirements
 - Types of records must be classified
 - Must describe who is responsible for records
 - Provision of retention schedules
 - Establishment of requirements for public records destruction
 - o Minutes – the official record of the meeting
 - Minutes should focus on actions rather than be a translation of the events
 - Minutes must be available to the public
 - The writer of the minutes may keep his or her minutes on a personal computer, but they must be accessible
 - Personal notes taken by a member for his or her own consumption does not need to be made public
- City Ethics Rules and Expectations – presented by Joseph Deets of the City Ethics Commission
 - o The role of the City Ethics Board
 - The deal with all complaints of alleged ethics violations
 - Act in an advisory role for the “Five Cs” of ethics
 - Compensation of gifts (below \$50)
 - Confidentiality (Closed sessions must be closed to the public and no minutes can be kept lest they be leaked as public record)
 - Conflicts of interest
 - Communication (This meeting will be reported to the Board)
 - Conduct of public meetings
 - The Ethics Board has no enforcement authority
 - They only advise and filter out what goes to the City Council

OLD BUSINESS

- Additions / Changes to the Historic Perspective for the Comprehensive Plan

- o Council Member Ron Peltier had rewritten sections of the updated Historic Section of the Comprehensive Plan in order to have a more “fair and balanced” look because little was written on the treaties with Native American tribes and the impact European settlement had.
- o The primary concerns came from Ms. Burke who had worked on the condensed version of the update. (Mr. Jacobson had written a larger revision)
 - She believed that the section on Chief Leschi, while important for state history, was immaterial in terms of Bainbridge history
 - Too little had to do with Suquamish and Bainbridge history
 - She also took issue with the wording on Paragraph 3 which said “lands still belonging to local tribes” as the natives did not believe in land ownership.
- Selection of Consultant for DAHP Grant
 - o First Step: Immediate eliminations and reasons
 - Row 10: They are too far and did not show knowledge of the Pacific Northwest
 - The Johnson Partnership’s proposal was too vague despite their knowledge and experience of the region
 - Drayton Archeology was eliminated because their primary focus was archeology and did not have an expert in historic architecture which was the primary requirement
 - o Second Step: Discussion of the pros and cons of the remainders
 - Cultural Resources Consultants has Bainbridge Island experience and was at the top of Mr. Shopes list. Mr. Jacobson believed the proposal was too vague. Mr. Williams stated that they had a good historic architect. However, their Bainbridge experience was not as large a scope as we were looking for
 - Summit Solutions had an impressive record. However, it did not have any significant experience Washington State, and the primary consultant, while an expert in historic preservation, was not an architect.
 - Confluence had a historic architect who had a personal recommend from former HPC member Glenn Hartmann. They did have extensive Washington State experience including work on Bainbridge Island. In addition, their projects were on par with this project.
 - o The Finalist and Runner-up
 - Confluence was chosen because of their proximity, the quality of the historic architect and the comparable experience they have had with projects similar to the one at hand
 - Cultural Resources Consultants is the runner-up and will be chosen should Confluence decline the offer
- Register Eligible Properties – Next Steps
 - o Mr. Williams wrote and distributed to the Commission members via e-mail a draft letter that would be sent out to register eligible homes
 - o Primary points on the draft are:
 - “The commission considers your property to be eligible for nomination to the Local Register for Historic Places”
 - “The property cannot be added to the Register without the owner’s permission so this is strictly a voluntary program.”
 - “Your property is not currently on the Register, but is considered register eligible so you may be asked to discuss proposed exterior improvements, or a demolition permit request, with the Commission prior to issuance of a permit”

- “Likewise the Commission would like to review alternatives to demolition with owner, but will not deny issuance of a demolition permit.”
- o Comments
 - Mr. Shopes warns that the term “register eligible” will sound like a taking and will result in negative reaction
 - Ms. Montgomery and Ms. Wolfe did not like the letter stating anything about demolition since the goal was preservation. In addition, Ms. Wolfe believe the letter is too long and would like to condense it to one page.
 - Ms. Tayara warned, however, that the appellate process must be stated as well as the rights of Commission
- o Conclusion
 - Ms. Wolfe will work on a revised draft
- Signage for Register, Heritage Properties and Farm Properties
 - o Kelly spoke to Deputy City Manager Morgan Smith. She said that funds for historic signage are available
- Archeological Find of Dam on Winslow Ravine
 - o Findings
 - The dam was found along with ravine north of the Winslow Way Bridge.
 - The dam was built in 1903 to supply water to Winslow. As the settlement grew, the dam became insufficient. It was abandoned in 1947
 - Mr. Schumacher believes that it has historic value
 - The dam is located on property controlled by Gateway LLC and owned by real estate developer Bror Elmquist.
 - o Conclusion
 - Ms. Montgomery was in favor of having the dam listed as a historic structure and believes that other non-buildings should be included as well such as the Point White dock.
- Article Regarding Proposed Parking Garage Construction and Museum Move
 - o Report
 - Ms. Burke had read in the Bainbridge Review that there were plans to build a parking garage on the city property where the museum now sits.
 - The museum would be moved to a site close to City Hall
 - This would involve taking out some Heritage Trees and make the museum less visible and accessible to the public
 - o Comment
 - Many of the detail were not known so comment was limited
 - Mr. Chandler said that the Museum has a 100 year lease on the property and the amount of the lease is a percentage of the Museum’s retail sales.

CLOSING MATTERS

- Ms. Montgomery gave her Heritage Property priorities were included the following
 - o Churches: St. Barnabas Episcopalian, Port Madison Lutheran and Eagle Harbor Congregational
 - o Meeting Halls: Island Center Hall, Seabold Hall, Filipino-American Hall and the Bainbridge Island Grange Hall
 - o Commercial Buildings: Sheppard House, Police Station (former Fire Station) and the Cave Properties

ADJOURN at 4:20 pm