



PLANNING DEPARTMENT
CITY OF BOWLING GREEN

MINUTES: HISTORIC PRESERVATION COMMISSION
Meeting of February 28, 2020
City of Bowling Green Administrative Services Building
304 North Church Street, Bowling Green, Ohio 43402

Members Present: Le Barber, Greg Halamay, John Sampen

Members Absent: Gail Nader

Staff Member Present: Heather Saylor, Planning Director

Agenda Item 2: Approval of the Minutes

The minutes of the January 24, 2020 meeting were approved unanimously.

Agenda Item 3: Certified Local Government

The HPC discussed the implications of City Attorney Mike Marsh's recent e-mail to Saylor expressing the opinion that it would not be legal to "re-zone property without the consent of the owners" in reference to section 150.10.B.7 of our proposed CLG ordinance (pp. 18-21 of draft V.8.5 and draft V.9.5), a section which designates the five Bowling Green properties/districts already on the National Register of Historic Places as official Listed Properties under the terms of the ordinance. There was consensus that Marsh's opinion is most likely to prevail and that City Council will not approve section 150.10.B.7 as written. Options for the Commission at this point were discussed, including the possibilities of (1) letting the current 150.10.B.7 stand as it is in our document, thus leaving it to Council to deal with the issue and (2) removing the section from our draft now, because it is the most "responsible" thing to do under the circumstances. Members expressed regret at the loss of what we thought was an opportunity to have the five BG properties/districts listed immediately, but recognized the legal challenge to leaving the language as presently written. Sampen moved ("reluctantly") that we remove section 150.10.B.7 from our draft ordinance; Barber seconded; and the motion was approved by unanimous vote. Commission members all agreed that a top priority agenda item for the Commission, once the CLG ordinance is approved by City Council, should be efforts to facilitate the process of gathering approval from sufficient numbers of owners so that the five BG properties/districts can be recommended to Council for Listed Property status.

The Commission worked through the latest draft of the proposed CLG legislation, as provided by Saylor at the start of the meeting (V.9.5), containing five final changes or confirmations recommended by Saylor and Barber. There was consensus approval of all five of these recommendations.

Barber raised a new issue about the draft legislation, pointing out that, in all likelihood, City legal counsel will rule that in any voting by owners for the creation of an official Historic District, owners will have one vote for each property in the district, whether they own a single property or more than one. Barber stated that most multiple-property owners in Bowling Green historic neighborhoods are renting their properties and are, therefore, the owners least likely to vote "yes" for the creation of a Historic District. Barber argued that this is a situation unique to those cities with colleges or universities and that, given this uniqueness, it will be more difficult in Bowling Green to ever get sufficient owner approval for creation of a Historic District. Thus, he asserted, a different vote threshold than the norm in Ohio is warranted, and he proposed that the HPC change 158.06.D so that the language of the last line reads: "At least 51% of the owners must agree to the creation of a District before the Commission forwards a recommendation for designation." After discussion, Barber moved the change from 60% to 51%; Sampen seconded; and the motion was approved by unanimous vote.

The possibility of sending a transmittal cover letter to City Council along with the proposed ordinance was discussed. Barber shared a draft version of such a letter for the Commission's review. After discussion, the HPC reached consensus that the draft letter, as written, should be sent to Council with the ordinance itself. A copy of the draft transmittal letter is attached.

Sayler asked for and received confirmation that she should now send the revised ordinance to Nathan Bevil at the State Historic Preservation Office and wait for his response before we submit the ordinance to Council.

Agenda Item 4: Public Engagement Plan

It was agreed that any substantive discussion of this topic should wait until Nader, our Coordinator for Public Engagement Planning, is present. However, Sayler did report that she has learned from the City Administration that it will be possible for the Commission to receive community input at a City e-mail (likely historicpreservation@bgohio.org). There was a brief discussion about whether and how the Commission would respond to inquiries/input, with concern expressed that the Commission does not have the peoplepower or time to respond to everything. Discussion will continue at the next meeting.

Agenda Item 5: Lobby Visitation

There was no lobby visitation.

Agenda Item 6: Adjournment

Prior to adjournment, Sampen asked about a replacement for the fifth commission member who resigned several months ago. Halamay volunteered to contact Mayor Aspacher about the matter.

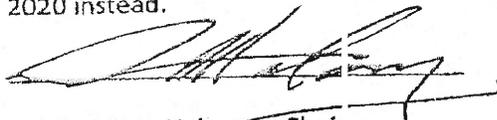


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The HPC agreed to add three additional agenda items for the March meeting, in addition to the two continuing ones (CLG and Public Engagement): 1. Updating our "Projected Goals and Plans"; 2. Creation of Design Guidelines for Listed Properties/Districts; and 3. Planning for the eventual creation of Listed Properties/Historic Districts via property inventories and via assistance to the Main Street and Boomtown Districts.

Sampen mentioned an upcoming community outreach/local partner opportunity at an event being held at the Wood County Historical Society. Timing is tight, so it may not be possible to arrange to have a representative attend, but Sampen was thanked for the reminder about this important responsibility of the Commission.

Prior to adjournment at approximately 5:10 pm, the Commission learned that Sampen will not be able to attend a meeting on the fourth Friday of March and, therefore, tentatively set its next meeting date for March 20, 2020 at 3:30 pm, pending information about Nader's availability and the availability of a meeting room. Sayler will check on the latter and Nader will be contacted. In the absence of a suitable meeting room or Nader's availability, the March meeting will be on March 27, 2020 instead.



Greg Halamay, Chair



Les Barber, Secretary

