

**Bloomington Historic Preservation Commission, Teleconference
Meeting, Thursday July 8th, 2021, 5:00 P.M.**

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES**
 - A. June 10, 2021 Minutes
- IV. STAFF REPORT**
 - A. Director John Zody
 - Indiana Historic Preservation Update
- V. CERTIFICATES OF APPROPRIATENESS**
- VI. RESOLUTIONS**
 - A. Virtual Meeting Policy
 - Requires HPC adoption
- VII. DEMOLITION DELAY**
 - A. **DD 21-10**
 - 2412 W. 3rd Street
 - Petitioner: Ralph Schwartz – K & R Construction
 - Full Demolition*
- VIII. NEW BUSINESS**
 - A. Kaisa Goodman & Lauren Travis
 - Presentation on the Bloomington Green Home Improvement Program (BGHIP)
- IX. OLD BUSINESS**
- X. COMMISSIONER COMMENTS**
- XI. PUBLIC COMMENTS**
- XII. ANNOUNCEMENTS**
- XII. ADJOURNMENT**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call
812-349-3429 or email, human.rights@bloomington.in.gov.*

Next meeting date is July 22, 2021 at 5:00 P.M. and will be a teleconference via Zoom.

Posted: 7/2/2021

**Bloomington Historic Preservation Commission, Teleconference
Meeting, Thursday June 10th, 2021, 5:00 P.M.**

AGENDA

I. CALL TO ORDER

Meeting was called to order by Chair, **Jeff Goldin @ 5:04 p.m.**

II. ROLL CALL

Commissioners Present:

Jeff Goldin
John Saunders
Sam DeSollar
Reynard Cross
Chris Sturbaum
Doug Bruce

Advisory Present:

Duncan Campbell
Matt Seddon

Absent:

Derek Richey
Jenny Southern

Staff Present:

Brent Pierce, HAND
John Zody, HAND
Dee Wills, HAND
Keegan Gulick, City Planning and Transportation
Daniel Dixon, City Legal
Jane Kupersmith, Economic and Sustainable Development

Guests Present:

CATS
Loren wood
Kacie Kirby
John Rabold
Rich Ham
Tucker Jaroll
Russ Herndon
Sasha Shumyatsky
Ashley S.

III. APPROVAL OF MINUTES

A. May 27, 2021 Minutes

John Saunders made a motion to approve **May 27, 2021 Minutes**.

Chris Sturbaum seconded.

Motion Carries: 5 Yes (Sturbaum, Saunders, Bruce, Cross, Goldin) 0 No, 1 Abstain (Sam DeSollar)

IV. CERTIFICATES OF APPROPRIATENESS

Commission Review

A. COA 21-23 (Continued from May 27th Meeting)

316 N. Washington Street (Washington Terrace Apartments)

Petitioner: John Rabold (Granite Property Management)

Installation of wall signage to the building.

Brent Pierce gave presentation. See packet for details.

John Rabold stated that they just received management of this building and did not know that it was historic. **John Rabold** stated that they have no problem with taking the sign down. **Duncan Campbell** asked that if the sign is taken down, is that the end of it. **Jeff Goldin** stated that the **Petitioner** may keep the sign up if the commission did not disapprove. **Daniel Dixon** stated that the **COA** would need a denied vote. Discussion ensued. See packet for details. **Duncan Campbell** questioned which sign would be taken down. **John Rabold** clarified that if the sign was approved that it would be the one that says **Granite** with an attached banana to it. There would not be any phone number, and is the one that is facing Washington Street. More discussion ensued.

Brent Pierce commented that this **COA** was for all of the signage, and if this was denied that it sounded like the **Petitioner** would be willing to resubmit a different **COA**. **Chris Sturbaum** asked if a yard sign would be acceptable. **Keegan Gulick** stated that they do allow signs that are less than one and one half square feet and that this could be an option. **Sam DeSollar** commented that given the way the **COA** was put forth, I would be inclined to support staff recommendation and deny this one. If they want to come back with a different yard sign and a different **COA** I would consider that, but I don't feel that as submitted it is appropriate. More discussion ensued. See packet for details.

Sam DeSollar made a motion to approve **COA 21-23**.

John Saunders seconded.

Motion Carries: 6 Yes (Sturbaum, Saunders, Bruce, DeSollar, Cross, Goldin) 0 No, 0 Abstain.

B. COA 21-24 (Continued from May 27th Meeting)

112 W. 6th Street (Courthouse Square Historic District)

Petitioner: Olympus Properties

Reopen original window openings and install new windows on north and east side of the building.

Brent Pierce stated that the **Petitioner** was not prepared to present the **COA** at this meeting, but wanted to present it at the next meeting.

Jeff Goldin made a motion to deny **COA 21-24**.

Sam DeSollar seconded.

Motion Carries: 6 Yes (Sturbaum, Saunders, Bruce, DeSollar, Cross, Goldin) 0 No, 0 Abstain

C. COA 21-27

118 N. Walnut Street (Courthouse Square Historic District)

Petitioner: Kacie Kirby – Eye Y Group

Installation of temporary vinyl graphics on exterior of windows and LED lighting on the interior.

Brent Pierce gave presentation. See packet for details.

Kacie Kirby stated that she had sent an updated design with the lines reduced to 25 percent coverage to meet the requirements. Discussion ensued. See packet for Details.

Chris Sturbaum stated that this COA seems to meet criteria. **Sam DeSollar** stated That the previous owner did a nice job on cleaning up the store front.

John Saunders made a motion to approve **COA 21-27**.

Sam DeSollar seconded.

Motion Carries: 6 Yes (Sturbaum, Saunders, Bruce, DeSollar, Cross, Goldin) 0 No, 0 Yes

V. DEMOLITION DELAY

A. 1213 S. Brooks Ln. Demolition Permit – Loren Wood

Brent Pierce gave presentation. See packet for details.

Loren Wood explained some of the issues of the house and what it would involve to bring it up to efficiency standards. **Loren Wood** explained in more detail as to what the client was wanting for the house and why it would make more sense to start from the foundation.

Jeff Goldin made a motion to release **Demo Delay 21-09**.

Doug Bruce seconded.

Motion Carries: 6 Yes (Sturbaum, Saunders, Bruce, deSollar, Cross, Goldin) 0 No, 0 Abstain

VI. NEW BUSINESS

A. 601 N. Morton St. Courtesy Review – Loren Wood

Loren Wood gave presentation. See packet for details.

Loren Wood stated that they wanted to bring this project to the **Board** to get some feedback from the **Commissioners**. **Rich Ham** gave some background about their business and how they would be a perfect fit for the trades district. **Rich Ham** covered the highlights about the project and how they plan on this location being their main headquarters. More discussion ensued. **Loren Wood** gave details of what their plan for the building renovation would be.

- VII. OLD BUSINESS**
- VIII. COMMISSIONER COMMENTS**
- IX. PUBLIC COMMENTS**
- X. ANNOUNCEMENTS**
- XII. ADJOURNMENT**

Meeting was adjourned by **Jeff Goldin @ 6:01 p.m.**

END OF MINUTES

Video record of meeting available upon request.

RESOLUTION 21-01

A RESOLUTION ESTABLISHING THE POLICY BY WHICH MEMBERS OF THE BLOOMINGTON HISTORIC PRESERVATION COMMISSION, HPC STAFF, AND MEMBERS OF THE PUBLIC MAY PARTICIPATE IN MEETINGS BY ELECTRONIC MEANS OF COMMUNICATION

WHEREAS, the Indiana General Assembly adopted HEA 1437 in the 2021 Regular Session, which amended Indiana Code (IC) 5-14-1.5-1 et seq. (Act) by amending IC 5-14-1.5-3.5 to prescribe new requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by an electronic means of communication; and

WHEREAS, a member of the governing body may participate by any means of communication that:

- allows all participating members of the governing body to simultaneously communicate with each other; and
- except for a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting; and

WHEREAS, the Act requires the governing body to adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication and allows the governing body to adopt procedures that are more restrictive than the procedures established by IC 5-14-1.5-3.5; and

WHEREAS, the Bloomington Historic Preservation Commission is the governing body of the Historic Preservation program of the Bloomington Housing and Neighborhood Development Department and wishes to adopt such a policy;

THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The Bloomington Historic Preservation Commission ("Commission") adopts the following policy on the participation of a member of the Commission, HPC staff, and members of the public in a meeting by an electronic means of communication:

ELECTRONIC MEETINGS POLICY

Section 1.

- (a) The provisions of the Act, including definitions, apply to this resolution.
- (b) This resolution shall be known as the "Electronic Meetings Policy" of the Commission and applies to the Commission.

Section 2.

- (a) Subject to Sections 3 and 5, any member may participate in a meeting by any electronic means of communication that:
 - (1) allows all participating members of the governing body to simultaneously communicate with each other; and
 - (2) other than a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.
- (b) A member who participates by an electronic means of communication:
 - (1) shall be considered present for purposes of establishing a quorum; and
 - (2) may participate in final action only if the member can be seen and heard.
- (c) All votes taken during a meeting at which at least one (1) member participates by an electronic means of communication must be taken by roll call vote.

(d) A member of the Commission who plans to attend a meeting by any electronic means of communication shall notify the Commission Chair and the HPC Program Manager or Director of HAND at least 3 days before the meeting so that arrangements may be made for the Commission's participation by electronic communication

Section 3.

(a) At least fifty percent (50%) of the members must be physically present at a meeting at which a member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.

(b) A member may not attend more than a fifty percent (50%) of the meetings in a calendar year by an electronic means of communication unless the member's electronic participation is due to:

- (1) military service;
- (2) illness or other medical condition;
- (3) death of a relative; or
- (4) an emergency involving actual or threatened injury to persons or property.

(c) A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:

- (1) military service;
- (2) illness or other medical condition;
- (3) death of a relative; or
- (4) an emergency involving actual or threatened injury to persons or property.

Section 4. The memoranda and any minutes prepared for a meeting at which any member participates by electronic means of communication must:

- (1) identify each member who:
 - (A) was physically present at the meeting;
 - (B) participated in the meeting by electronic means of communication;and
 - (C) was absent; and
- (2) identify the electronic means of communication by which:
 - (A) members participated in the meeting; and
 - (B) members of the public attended and observed the meeting, if the meeting was not an executive session.

Section 5. No member of the Commission may participate by means of electronic communication in a meeting if the Commission is attempting to take final action to:

- (1) adopt a budget;
- (2) make a reduction in personnel;
- (3) initiate a referendum;
- (4) impose or increase a fee;
- (5) impose or increase a penalty;
- (6) use the Commission's eminent domain authority; or
- (7) establish, raise or renew a tax.

Section 6. In the event the governor declares a disaster emergency under IC 10-14-3-12 or the executive (as defined in IC 36-1-2-5) of a political subdivision declares a local disaster emergency under IC 10-14-3-29, the Commission may meet by any means of electronic communication if the following requirements of IC 5-14-1.5-7 are satisfied:

- (1) At least a quorum of the members of the Commission participate in the meeting by means of electronic communication.

- (2) The public is able to simultaneously attend and observe the meeting. However this subdivision does not apply to a meeting held in executive session.
- (3) The memorandum and any minutes prepared for the meeting held under this section must:
 - (a) state the name of each member of the Commission who:
 - (i) participated in the meeting by using any electronic means of communication; and
 - (ii) was absent; and
 - (b) identify the electronic means of communication by which:
 - (i) members of the Commission participated in the meeting; and
 - (ii) members of the public attended and observed the meeting, if the meeting was not an executive session.
- (4) All votes taken during a meeting under this section must be taken by roll call vote.

Section 7. At any meeting of the Commission where any member participates by an electronic means of communication, members of the public shall be able to attend, observe, and, subject to the Commission's rules for public comment, participate in the meeting via electronic means.

Section 8. At any meeting of the Commission where any member participates in the meeting via electronic means, City of Bloomington staff members may also participate in the meeting via electronic means, provided there is no actual need for a staff member to be physically present at a particular meeting. Such need shall be determined at the sole discretion of the Chair of the Commission.

SECTION II. If any sections, sentence or provision of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

SECTION III. This resolution shall be in full force and effect from and after its passage by the Commission.

PASSED by the Historic Preservation Commission, this ____ day of _____, 2021.

Jeff Goldin, Chair

ATTEST:

SYNOPSIS

This resolution adopts an Electronic Meetings Policy for the City of Bloomington Historic Preservation Commission pursuant to newly-enacted state statutes concerning electronic meetings. The Policy establishes the procedures that apply to a member's participation in a meeting by an electronic means of communication, as well as to the participation of the public and city staff members by electronic means of communication.

Demo Delay: 21-10
Commission Decision

Address: 2412 W. 3rd Street

Petitioner: Ralph Schwartz

Property is Contributing

Structure: Mid-Century c.1955



Background: There is one residential structure on the property. The City of Bloomington issued an UNSAFE building Order to Remove on May 5, 2021.

Request: Full demolition.

Guidelines: According to the demolition delay ordinance, BHPC has 90 days to review the demolition permit application from the time it is forwarded to the Commission for review.

Recommendation: Staff recommends releasing **Demo Delay 21-10**. The City of Bloomington has ordered full removal due to an impaired structural condition that makes it unsafe to persons and property. It must be removed by July 25, 2021.



**City of Bloomington
Housing and Neighborhood Development**

05 May 2021

Marcia Elaine Finley
130 S Johnson Ave
Bloomington IN 47404

**UNSAFE BUILDING
ORDER TO REMOVE**

RE: Structure(s) located at 2412 W 3rd St, Bloomington, Indiana 47404
Legal description of relevant property: 013-53030-00 Maple Grove Baby Farms Pt Lot
3; (3B) S 123' x 132' .417A

You are the recorded owner of the aforementioned property ("Property"). A recent inspection determined the Property to contain an unsafe structure(s) and revealed violations of Bloomington Municipal Code ("B.M.C.") Chapter 17.16 and Indiana Code ("I.C.") Chapter 36-7-9. Pursuant to B.M.C. Chapter 17.16 and I.C. § 36-7-9-5(a)(2), you are hereby **ORDERED** to **REMOVE THE STRUCTURE(S)** at the above-referenced property within **60** days, to wit: by 12 midnight local time on **25 July 2021**. This Order to Remove expires 25 May 2023.

The following actions must be taken to comply with this Order:

1. **Contact Monroe County Building Department for Demolition Permit.**
2. **Remove the remaining portion of the fire damaged structure.**
3. **Remove all debris associated with the fire and the demolition.**
4. **Remove all debris from the site, then backfill to be level with surrounding grade.**
5. **Notify Housing and Neighborhood Development upon completion of the work.**

The structure referenced above is being declared unsafe in accordance with B.M.C. Chapter 17.16 and I.C. § 36-7-9-4(a) and this **ORDER TO REMOVE** is being issued as a result of inspection(s) conducted by HAND on 03 May 2021. The inspection(s) revealed that the property is:

- In an impaired structural condition that makes it unsafe to a person or property;
- A fire hazard;
- A hazard to the public health;

- A public nuisance;
- Dangerous to a person or property because of a violation of the below listed statute or ordinance concerning building condition or maintenance:
; and/or
- Vacant and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of the below listed statute or ordinance:

The law requires a hearing be held before this Order can go into effect. To that end, a hearing will be conducted by the City of Bloomington's ("City") Board of Public Works ("Board") at **5:30 p.m. local time on 25 May 2021**. The hearing will take place during a virtual meeting (Contact City of Bloomington Public Works for information to access the virtual meeting). You or your legal counsel may present evidence, cross-examine witnesses, and present arguments at this hearing.

Failure to comply with this Order by the deadline(s) imposed may result in the City issuing citations for violations of the B.M.C., civil penalties being assessed against you, a civil suit being filed against you, the City making the necessary repairs (either by itself or via the use of an independent third-party contractor) and placing a lien on the Property to recover costs associated with this action, and/or demolition of the Property.

You must notify the City's HAND Department within five (5) days if you transfer title, or if another person or entity agrees to take a substantial interest in the Property. This notification shall include the full name, address and telephone number of the person or entity taking title of or substantial interest in the Property. The legal instrument used in the transfer must also be supplied to the HAND Department. Failure to comply with this notification requirement may render you liable to the City if a judgment is entered for the failure of the City to provide notice to persons holding an interest in the Property.

If you have questions regarding this Order, please feel free to contact Neighborhood Compliance Officer Mike Arnold during normal business hours at the address, telephone number, and/or email herein provided:

Michael Arnold
Neighborhood Compliance Officer
Housing & Neighborhood Development Department (HAND)
401 N. Morton Street/P.O. Box 100
Bloomington, Indiana 47402
(812) 349-3401
arnoldm@bloomington.in.gov



John C Zody

John Zody, Director
City of Bloomington
Housing & Neighborhood Development (HAND)
401 N. Morton Street/P.O. Box 100
Bloomington, Indiana 47402

5/5/21

Date



2412 W 3rd St
03 May 2021





R-21-417

Residential Demolition Permit

Status: Active

Date Created: May 18, 2021

Applicant

Ralph Schwarz
ralphschwarz53@icloud.com
PO Box 445
Spencer, in 47460
812-829-8940

Location

2412 W 3rd ST
Bloomington, IN 47404-5221

Owner:

Finley, Marsha Elaine , L / E Iris Pansy
130 S Johnson Ave Bloomington, IN 47404

Project Information

Owner Name

Marcia Elaine Finley

Number of Structures to be removed

1

Brief description of proposed work and list all Hazardous Materials to be removed

Demolition

Number of Underground Storage Tanks

0

Is the property owner doing the work?

No

What type of structure are you demolishing?

Primary Residential Structure

Primary Contractor

Contractor's Name

Ralph Schwarz

Business Name

K & R Construction

Address of Business

PO Box 445, Spencer, In. 47460

Phone

812-829-8940

Contractor's Email

ralphschwarz53@icloud.com

Certification

The applicant hereby certifies and agrees as follows: (1) I am authorized to make application. (2) I have read this application and attest that the information furnished is correct, including that contained in plans. (3) If there is any misrepresentation in this application, or associated documents, Monroe County may revoke any permit or Certificate of Occupancy issued based upon this misinformation. (4) I agree to comply with all Monroe County Ordinances, permit conditions and State statutes which regulate building construction, use, occupancy and site development. (5) I grant and will request Monroe County Officials to enter onto the property listed on this application for the purpose of inspecting the work permitted by this application and posting notices. (6) I will retain the Certificate of Occupancy in my records upon completion of the project. NOTE: Plans shall mean all site and construction plans and specifications, whether furnished prior to or subsequent to the application date. All plans furnished subsequent to application date constitute an amendment to the original application and must be specifically approved by the County with an appropriate endorsement and the signature of the approving official prior to plan implementation. The Permit is not valid, and work is not permitted until signed and issued by the agent of the Monroe County Building Department.

Ralph Lee Schwarz

05/18/2021

Staff Use

Planning Staff Review

