

MANISTEE CITY HISTORIC DISTRICT COMMISSION

Meeting of Thursday, April 6, 2017

3:00 p.m. - Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I Call to Order

II Roll Call

III Approval of Agenda

At this time the Historic District Commission can take action to approve the April 6, 2017 Agenda.

IV Approval of Minutes

At this time Historic District Commission can take action to approve the March 2, 2017 meeting Minutes.

V Public Comment on Agenda Related items

At this time the Chair will ask if there are any public comments.

VI New Business

HDC-2017-10 – Gary & Cathy Miller, 389 River Street – window replacement and repair

A request has been received from Gary & Cathy Miller, 389 River Street for a Certificate of Appropriateness for replacement of upper windows and to repair block windows above front entrance

At this time the Historic District Commission could approve/deny the request from Gary & Cathy Miller, 389 River Street for a Certificate of Appropriateness for replacement of upper windows and to repair block windows above front entrance as submitted with application HDC-2017-10.

HDC-2017-11 – Gary & Cathy Miller, 389 River Street – request to paint unpainted brick

The Museum Director has approved the request for paint colors from Gary & Cathy Miller, 389 River Street but is forwarding the request to paint unpainted brick to the Historic District Commission for their consideration.

At this time the Historic District Commission could approve/deny the request from Gary & Cathy Miller, 389 River Street for a Certificate of Appropriateness to allow unpainted brick to be painted with approved paint colors as submitted with request HDC-2017-11.

By-Law Amendments

Staff has drafted amendments to the Historic District Commission By-Laws and Rules of Procedures for consideration

At this time the Historic District Commission could take action to amend their By-Laws and Rules of Procedures.

VII Old Business

Permit Review

At this time the Commission may take action to close out any outstanding permits.

VIII Correspondence

At this time the Chair will ask if any correspondence has been received to be read into the record.

IX Reports

DDA Executive & Economic Development Director
Museum Curator
Museum Director
Planning & Zoning Administrator

X Public Comments and Communications concerning Items not on the Agenda

At this time the Chair will ask if there are any public comments.

XI Members Discussion

At this time the Chair will ask members of the Historic District Commission if they have any items they want to discuss.

XII Worksession

XIII Adjournment



Memorandum

To: Historic District Commissioners

FROM: Denise Blakeslee, Planning & Zoning Administrator

DATE: March 28, 2017

RE: April 6, 2017 Meeting

Denise Blakeslee
Planning & Zoning
Administrator
70 Maple Street
Manistee, MI 49660
231.398.2805
dblakeslee@manisteemi.gov
www.manisteemi.gov

Commissioners, we have three items for the April 6, 2017 Historic District Commission meeting:

HDC-2017-10 – Gary & Cathy Miller, 389 River Street – window replacement and repair - A request has been received from Gary & Cathy Miller, 389 River Street for a Certificate of Appropriateness for replacement of upper windows and to repair block windows above front entrance

HDC-2017-11 – Gary & Cathy Miller, 389 River Street – request to paint unpainted brick - The Museum Director has approved the request for paint colors from Gary & Cathy Miller, 389 River Street but is forwarding the request to paint unpainted brick to the Historic District Commission for their consideration.

By-Law Amendments - Staff has drafted amendments to the Historic District Commission By-Laws and Rules of Procedures for consideration

If you are unable to attend the meeting, please call me at 398.2805. See you next Thursday.

HISTORIC DISTRICT COMMISSION

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

MEETING MINUTES

March 2, 2017

A Meeting of the Manistee City Historic District Commission was held on Thursday, March 2, 2017 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: Aaron Bennett, T. Eftaxiadis, Teena Kracht, Brandon David, John Perschbacher, Mary Russell, Lee Trucks

Members Absent: None

Others: Ed Bradford (Ramsdell Regional Center for the Arts), Maxine Lipon (337 River Street), Mark Fedder (Museum Director) Steve Harold (Museum Curator) and Denise Blakeslee (Planning & Zoning Administrator) and others

The Commissioners welcomed new member Brandon David.

APPROVAL OF AGENDA

MOTION by T. Eftaxiadis, seconded by Mary Russell that the Agenda be approved as prepared.

With a roll call vote this motion passed 5 to 1.

Yes: Eftaxiadis, Russell, David, Trucks, Kracht
No: Perschbacher

APPROVAL OF MINUTES

MOTION by Mary Russell, seconded by T. Eftaxiadis that the Minutes of the February 2, 2017 Meeting be approved as prepared

With a voice vote this motion passed unanimously.

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

Commissioner Bennett entered the meeting at 3:04 pm

NEW BUSINESS

HDC-2017-03 Ramsdell Regional Center for the Arts – Certificate of Appropriateness for Signage and Exterior lighting for Signage

The Museum Director has forwarded a request from the Ramsdell Regional Center for the Arts for a Certificate of Appropriateness for Signage and Exterior Lighting for Signage as submitted with application HDC-2017-03.

Ed Bradford, Ramsdell Regional Center for the Arts reviewed the request with the Commissioners. Discussion included that the vendor should try to attach the sign to the mortar to avoid damage to the brick; clarification on the color, and placement of the exterior lighting.

Mr. Bradford said he would talk with the sign installer to see that they attach the sign to the mortar as much as possible to avoid damage to the bricks.

MOTION by Mary Russell, seconded by T. Eftaxiadis that the Historic District Commission approves the request from the Ramsdell Regional Center for the Arts for a Certificate of Appropriateness for Signage and Exterior Lighting for Signage as submitted with application HDC-2017-03.

With a roll call vote this motion passed 7 to 0.

Yes: Bennett, David, Perschbacher, Eftaxiadis, Trucks, Russell, Kracht
No: None

HDC-2017-04 Maxine Lipon, 337 River Street – Request for Demolition Permit

A request has been received from Maxine Lipon to demolish the deteriorated rear addition and existing wooden stairway of the building at 337 River Street as submitted with application HDC-2017-04. The Commission waived the need for a site visit to the property.

Maxine Lipon reviewed the need for demolition and the desire to rebuild on the rear of the building.

MOTION by Lee Trucks, seconded by T. Eftaxiadis that the Historic District Commission approves the request from Maxine Lipon to demolish the rear addition and existing wooden stairway of the building at 337 River Street as submitted with application HDC-2017-04

With a roll call vote this motion passed 7 to 0.

Yes: Perschbacher, Bennett, David, Eftaxiadis, Russell, Trucks, Kracht
No: None

HDC-2017-05 Maxine Lipon, 337 River Street – Request for a Certificate of Appropriateness for façade renovations (previously approved on 2/4/16) and reconstruction of the rear addition

Maxine Lipon explained the request to the Commissioners. She wants to reconstruct the rear addition on the building at 337 River Street using the same footprint. The new addition would be reconstructed as a garage with an enclosed stairway to the second floor and deck as submitted with application HDC-2017-05. She also wants to move forward with the renovation of the building using the previous approvals granted to Ballyduff Properties LLC (previously approved on 2/4/16) with some minor changes.

The Commission discussed the request with the following notes:

- **Siding** – Stud wall siding/Stud Walls Brick Veneer/CMU Walls with the option of using Clapboard Siding as an alternate. Materials will be reviewed and approved by the Museum Director.
- **Lighting** - All three lights are to match (either option is acceptable)
- **Reuse Brick from Demolition** - to replace bricks as needed.
- **Upper Cornice** – If Historical layout is revealed when the siding is removed, then the layout needs to be reviewed by the Museum Director and brought back to the Commission. In the event that there are no historical layout revealed, then the proposed layout submitted with the application is acceptable.
- **Front Second Story Windows** – Need to rebuild existing or replicate existing windows to match. Can use alternative materials, thermal pane glass that is non-reflective. Museum Director has final approval for windows.

Chair Kracht appointed a subcommittee that will assist the Museum Director if he has questions, relating to the project consisting of Teena Kracht, John Perschbacher and Mary Russell.

MOTION by John Perschbacher, seconded by Mary Russell that the Historic District Commission approve the request for a Certificate of Appropriateness for façade renovations (previously approved on 2/4/16) and to construct a garage with an enclosed stairway to the second floor and deck as submitted with application HDC-2017-05 on the rear of the building at 337 River Street with the condition that the Second floor windows on River Street be rebuilt or replicated to match existing windows regardless of materials including the use of thermal pane glass that is non-reflective.

With a roll call vote this motion passed 7 to 0.

Yes: Bennett, David, Perschbacher, Eftaxiadis, Trucks, Russell, Kracht
No: None

OLD BUSINESS

Staff received notification from Hollander Development asking that their request be put on hold until further notice. If the applicant wishes to move forward with the request it will be placed on a future agenda.

MOTION by John Perschbacher, seconded by T. Eftaxiadis to postpone action on the request from Hollander Development, 400 River Street until the applicant brings the request back to the commission.

With a roll call vote this motion passed 7 to 0.

Yes: Perschbacher, Bennett, David, Eftaxiadis, Russell, Trucks, Kracht
No: None

PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA

T. Eftaxiadis updated the commission on the North Channel approval from SHPO and the National Park Services for tax credits. A copy will be provided staff once all approvals are received.

CORRESPONDENCE

None

STAFF REPORTS

Steve Harold – Advised the Commissioners about the annual Michigan Historic Preservation Network conference coming to Petoskey this spring.

Denise Blakeslee, Planning & Zoning Administrator – Ms. Blakeslee asked the Commissioners if they would reschedule the November 2nd meeting since she would be unable to attend the meeting. She asked if the meeting could be rescheduled to Wednesday November 1st.

MOTION by John Perschbacher, seconded by Mary Russell that the November 2, 2017 Historic District Commission meeting be rescheduled to Wednesday, November 1, 2017.

With a voice vote this motion passed unanimously

MEMBERS DISCUSSION

None

The Next meeting of the Historic District Commission will be on Thursday, April 6, 2017 at 3:00 p.m. in the Council Chambers, City Hall, 70 Maple Street.

ADJOURNMENT

MOTION by John Perschbacher, seconded by Mary Russell that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 4:37 P.M.

MANISTEE HISTORIC DISTRICT COMMISSION

Denise J. Blakeslee, Recording Secretary



Memorandum

Denise Blakeslee
Planning & Zoning
Administrator
70 Maple Street
Manistee, MI 49660
231.398.2805
dblakeslee@manisteemi.gov
www.manisteemi.gov

To: Historic District Commissioners

FROM: Denise Blakeslee, Planning & Zoning Administrator

DATE: March 27, 2017

RE: 389 River Street

Commissioners, we have two requests for 389 River Street. The first is for a Certificate of Appropriateness for replacement of upper windows and to repair block windows above front entrance.

The second has been forwarded from Museum Director Mark Fedder in response to a request for Paint Colors. Mark has approved the paint colors with the application but the applicant is requesting to paint unpainted brick on the front of the building.





Historic District Commission
 Planning & Zoning Department
 70 Maple Street
 Manistee, MI 49660
 231.398.2805
www.manisteemi.gov

Application for a Certificate of Appropriateness

Please Print

Standards			
<p>If the owner of the property is interested in receiving tax credits, APPLICATION MUST BE MADE FIRST TO THE STATE HISTORIC PRESERVATION OFFICE. If original features are found during renovation or demolition, a project must be stopped until an emergency meeting of the Historic District Commission is held to determine if the feature is to be incorporated into the project. If the applicant applied for Tax Credits the State Historic Preservation Office must be notified also.</p>			
<p><input checked="" type="checkbox"/> This box must be checked by the applicant indicating that they have read and understood the requirements for tax credits and that a project may be stopped for review if original features are found during the course of the project. If this box is not checked the application will not be processed.</p>			
<p>Properties within the City of Manistee Historic District are subject to the City of Manistee Historic District Ordinance (Chapter 1280 Historic District of the Code of Ordinances). The purpose of the ordinance is to preserve and protect our historic resource. The Historic District Commission is established by the Ordinance, and has the authority to review and approve all work permit applications and plans for exterior property improvements within the Historic District. Regular building maintenance is permitted and encouraged; however, a work permit is required for all alterations, significant repairs, new construction, demolition, moving of buildings, and all other activities affecting the exterior appearance of buildings and properties within these districts. Please consult staff for guidelines and specific details on permissible work.</p>			
Submission of Application			
<p>This application must be received by the City at least 10 days prior to a regularly scheduled monthly Historic District Commission meeting. The meeting is held the first Thursday of the month at 3:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan unless it is a legal holiday. Applicants are strongly encouraged to conduct a preliminary discussion with staff and attend the meeting to explain the proposed work.</p>			
Property Information			
Address: 389 River Street		Parcel # 51-51-455-701-09	
Applicant Information			
Name of Owner or Lessee: Gary & Cathy Miller			
Address: 7361 Cascade Terrace SE			
Phone #: 616-881-1062	Cell#: 616-881-1067	e-mail:	
Name of Contractor (if applicable):			
Address:			
Phone #:	Cell#:	e-mail:	
License Number:		Expiration Date:	
Application Requirements			
<p>The following information must be included with this application. Additional information may be required. The applicant must supply 12 copies of any items submitted that are in color. Paint colors, Signage and Awnings are approved under a separate application. The Historic District Commission requires a copy of the Building Plans for review and for file.</p>			
<input checked="" type="checkbox"/>	Current photo of the structure as seen from the street and where proposed work is to take place.		
<input checked="" type="checkbox"/>	Sketch, drawing or plans drawn to scale to show details and specification of ornamental features. Replacement doors, windows and lights require a copy of the specification sheet.		
<input checked="" type="checkbox"/>	A completed Certificate of Appropriateness Checklist.		
<input type="checkbox"/>	Replacement doors, windows and lights require a copy of the specification sheet.		

Certificate of Appropriateness Checklist

Check all of the Renovations that Apply to your project and give a brief explanation of the project attach additional sheets if necessary:

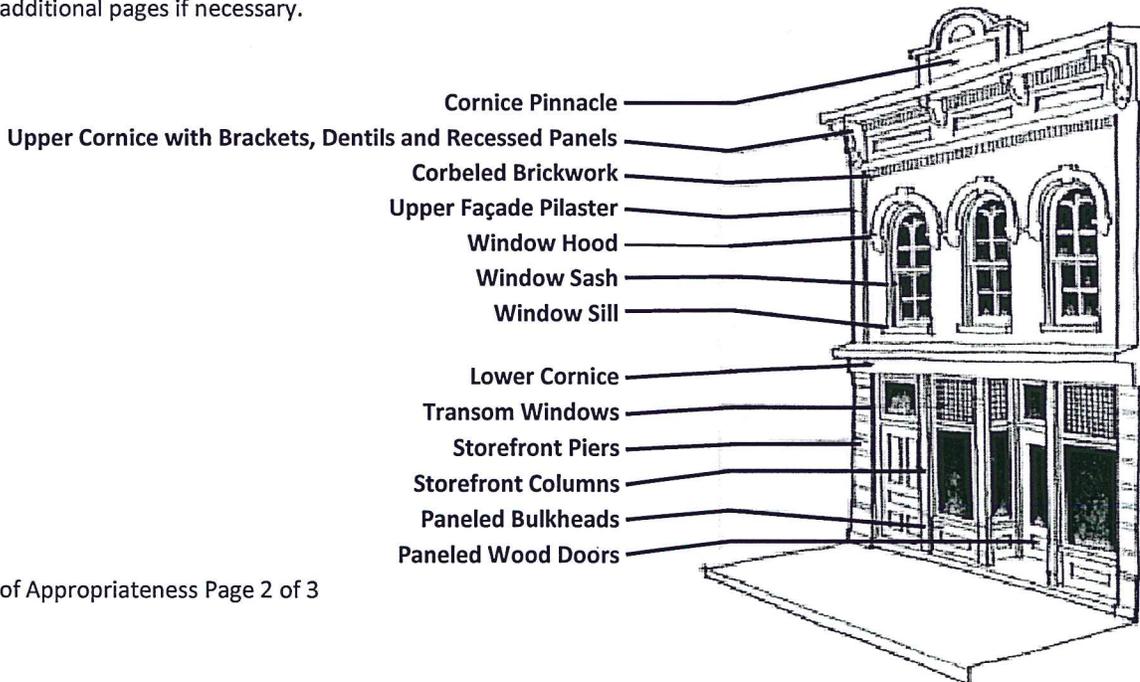
Example:

- Cornice Pinnacle: N/A
- X Upper Cornice Repair and replace with new materials. Wood will be used and painted to match exiting color scheme.
- X Corbeled Brickwork Clean using method prescribed in Preservation Brief #1 - Assessing Cleaning and Water-Repellent Treatment for Historic Masonry Buildings.

<input type="checkbox"/> Cornice Pinnacle	
<input type="checkbox"/> Upper Cornice	
<input type="checkbox"/> Corbeled Brickwork	
<input type="checkbox"/> Upper Façade Pilaster	
<input type="checkbox"/> Window Hood	
<input checked="" type="checkbox"/> Upper Windows	Replace w/replacement windows of exact same dimensions.
<input type="checkbox"/> Lower Cornice	
<input type="checkbox"/> Transom Windows	
<input checked="" type="checkbox"/> Storefront Piers	Paint removal from brick on upper piers (see attached photo).
<input checked="" type="checkbox"/> Storefront Columns	SEE storefront piers.
<input checked="" type="checkbox"/> Paneled Bulkhead	Brick to be painted (currently not painted...not original brick).
<input checked="" type="checkbox"/> First Floor Windows	Estimate for restoration in keeping w/original storefront design to determine if within budget.
<input type="checkbox"/> Doors	
<input checked="" type="checkbox"/> Other	<i>blocked w/ type windows above front entrance to be repaired.</i>

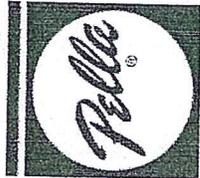
Description of Work			
<input type="checkbox"/> New Construction	<input type="checkbox"/> Rehabilitation/Restoration	<input type="checkbox"/> Addition	<input type="checkbox"/> Other (specify)
Describe the proposed project			
Proposed Start Date _____		Proposed Completion Date _____	
Incomplete requests will be returned to the applicant to supply needed information for review.			
Authorization			
I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent, and we agree to conform to all applicable laws of the State of Michigan. All information submitted on this application is accurate to the best of my knowledge.			
Applicant Signature: <u>Tom [Signature]</u>		Date: <u>3/18/17</u>	
By Signing this form the Applicant/Owner certifies that on or before the date of completion of proposed work, my building will have a code compliant smoke detector or fire alarm system.			
Office Use Only			
HDC - _____ - _____		Notes:	
Signature: <u>Mark Feldh</u>		Date: <u>3/18/17</u>	

This drawing depicts many of the types of historical decoration found in the Manistee Historical Business District. While all of the elements may not apply to your building this should assist in listing areas of renovation. The next page is a check list to assist in the application process. Please check all that apply to your project and give a brief explanation of proposed work. Use additional pages if necessary.





None Assigned



Architect, Monumental Hung Double Hung, 35 X 94, White



Viewed From Exterior

1: 3594 Double Hung, Equal

Frame Size: 35 X 94

General Information: Standard, New: First Ship Date 7/23/2015, Luxury, Clad, Pine, 5 7/8", 4 9/16"

Exterior Color / Finish: Standard Enduraclad, White

Interior Color / Finish: Unfinished Interior

Sash / Panel: Ogee, Standard

Glass: Insulated Dual Low-E Advanced Low-E Insulating Glass Argon Non High Altitude

Hardware Options: Standard, Cam-Action Lock, White, No Limited Opening Hardware, Order Sash Lift

Screen: Full Screen, White, InView™

Performance Information: U-Factor 0.29, SHGC 0.26, VLT 0.48, CPD PEL-N-226-00905-00001, Performance Class CW, PG 50, Calculated Positive DP

Rating 50, Calculated Negative DP Rating 50, Year Rated 0811

Grille: No Grille,

Wrapping Information: Foldout Fins, Factory Applied, No Exterior Trim, No Interior Trim, 4 9/16", 5 7/8", Factory Applied, Pella Recommended Clearance, Perimeter Length = 258"

Rough Opening: 35 - 3/4" X 94 - 3/4"

March 13, 2017

Mark Fedder, Museum Director
425 River Street
425 River Street
Manistee, MI 49660

Mark,

This letter is in follow up to a conversation started last fall with you regarding the history of 389 River Street. As the available history included the original building burning down, followed by being replaced with brick, it appears that the current store front dates back to that time.

With spring arriving soon, we would like to start the renovation of the store front at 389 River Street. I am confident Patti of Northern Spirits would benefit from this renovation as well as the historic district. Our intent is not to change the structure as we find it very pleasing to the eye, but it certainly needs a lot of TLC, i.e., scraping, patching, painting, and replacing/repairing the windows.

The application for Certificate of Appropriateness is attached. If additional information is required to advance to the next step in the approval process for the Façade Improvement Program, Gary and I will be available in Manistee the afternoon of 3/17 or the morning of 3/18 to meet with you to answer additional questions, discuss acceptable paint colors, additional signage, etc.

Thank you in advance for your prompt response. We look forward to hearing from you soon.



Cathy Miller
BgreenR, LLC
616-881-1062 (or 1067)



Historic District Commission
 Planning & Zoning Department
 70 Maple Street
 Manistee, MI 49660
 231.398.2805
www.manisteemi.gov

Paint Colors

Application for a Certificate of Appropriateness

Please Print

Submission of Application		
New color schemes following the <i>Manistee Commercial Historic District Commission Guideline #6 Painting</i> guidelines may be approved by the Manistee County Historical Museum Director or Curator. The Manistee County Historical Museum Director or Curator may require Historic District Commission review or approval of any proposed paint scheme at his discretion. In this event the requirements for applications submittal to the Historic District Commission must be met.		
Color schemes that do not follow the <i>Manistee Commercial Historic District Commission Guideline #6 Painting</i> must be approved by the Historic District Commission.		
Property Information		
Address: 389 River St.	Parcel # SI-SI-453-701-09	
Applicant Information		
Name of Owner or Lessee: Gary & Cathy Miller		
Address: 7361 Cascade Terrace SE		
Phone #: 616-881-1062	Cell#: 616-881-1067	e-mail:
Name of Contractor (if applicable):		
Address:		
Phone #:	Cell#:	e-mail:
Authorization		
I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent, and we agree to conform to all applicable laws of the State of Michigan. All information submitted on this application is accurate to the best of my knowledge.		
Applicant Signature: 		Date: 3/18/17
<input type="checkbox"/> Paint Plan for project attached (permit cannot be issued without plan)		
Office Use Only		
HDC - _____ - _____	Notes:	
Signature: Mark Fedler		Date: 3/18/17

Do not paint a brick or stone building that was never painted unless these materials require a protective coating to prevent deterioration.

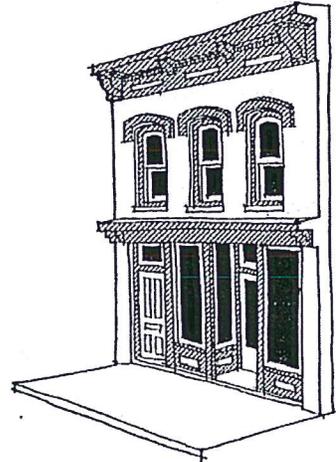
PAINT COLORS ARE APPROVED
 HOWEVER PAINTING IS CONTINGENT ON UNPAINTED BRICK w/ APPROVAL BY HDC.

Painting Plan	
Property Address: <u>389 River St.</u>	Owner:



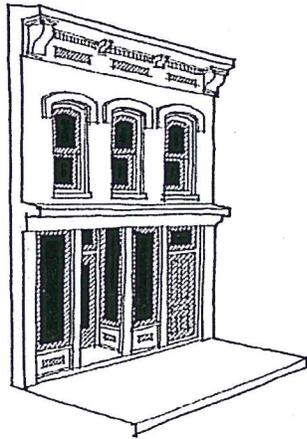
Base Color			
In general, the base color is the color of the basic facade wall. Often this color is the natural appearance of the masonry. When painted, the base color should relate harmoniously with that of other facades on the street.			
Brand of Paint	Paint Color Name	Paint Color Numbers	Paint Color Chips
			<input type="checkbox"/> Attached

Major Trim Color			
The major trim color is used on the construction and decorative elements which define the facade. This color should be used on both the upper facade and storefront to tie the facade together as a whole.			
Brand of Paint	Paint Color Name	Paint Color Numbers	Paint Color Chips
<u>Ben. Moore</u>	<u>Gray Mirage</u>		<input type="checkbox"/> Attached
<u>Ben. Moore</u>	<u>Circle</u>		<input type="checkbox"/> Attached
			<input type="checkbox"/> Attached



*Paint will be used on upper cornice / ~~area~~ window hoods
Lower cornice, column piers*

either paint color is approved



Minor Trim Color			
The minor trim color(s) are used primarily as an accent to highlight the architectural details of the facade. Elements such as window sash and doors can be emphasized. Care should be taken in choosing additional colors in a scheme.			
Brand of Paint	Paint Color Name	Paint Color Numbers	Paint Color Chips
			<input type="checkbox"/> Attached
			<input type="checkbox"/> Attached
			<input type="checkbox"/> Attached

upper street door to upstairs to be painted gray mirage / trim to circle



Memorandum

To: Historic District Commissioners

FROM: Denise Blakeslee, Planning & Zoning Administrator

DATE: March 7, 2017

RE: By-Laws and Rules of Procedures Amendment

Denise Blakeslee
Planning & Zoning
Administrator
70 Maple Street
Manistee, MI 49660
231.398.2805
dblakeslee@manisteemi.gov
www.manisteemi.gov

Commissioners, staff with the City Attorney drafting amendments for the By-Laws for the Commissioners consideration. A copy of the drafted By-Laws with strikeouts is attached for your review.

City Attorney George Saylor will be at the meeting to answer any questions about the changes and update the Commissioners on the Open Meetings Act.

CITY OF MANISTEE
HISTORIC DISTRICT COMMISSION
BY-LAWS AND RULES OF PROCEDURES

1. AUTHORITY

These By-laws and Rules of Procedures are adopted by the Historic District Commission of the City of Manistee, County of Manistee, (hereinafter referred to as the Commission) pursuant to Public Act 169 of 1970, as amended, the Local Historic Districts Act; the **Chapter 1290 Historic District of the** City of Manistee Codified Ordinances, and the Public Act 267 of 1976, as amended, the Open Meetings Act.

2. OFFICERS

2.1 Selection. At the December meeting, the Historic District Commission shall elect a chair, vice-chair and appoint a **as** recording secretary **the City Manager designee** who shall serve for the next twelve (12) months and who shall be eligible for re-election. ~~Vacancies in an office of the Commission shall be filled at the next regular meeting of the Commission. The membership shall elect one of its members to fill the vacancy until the next annual election.~~

2.2 Duties. The chair shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein and sign all official documents.

The vice-chair shall act in the capacity of the chair in the absence of the chair or in the event of a vacancy in the office of chair; in which case, the Commission shall select a successor to the office of vice-chair at the earliest practicable time.

The Recording Secretary shall be responsible for execution of documents in the name of the Historic District Commission, the preparation of minutes, keeping of pertinent public records, delivering communications, reports, and related items of business of the Commission, issuing notices of public hearings and performing related administrative duties to assure efficient and informed Commission operations. In the event the Recording Secretary is absent, the chair or acting chair shall appoint a temporary recording secretary for such meeting.

2.3 Tenure. The officers shall take office at the first regularly scheduled meeting immediately following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office.

3. MEETINGS

3.1 Meeting Notice. **Meetings shall be conducted, and notice posted in accordance with the**

Michigan Open Meetings Act (MCL 15.261 et. seq.). The schedule for regular meetings for the year shall be established at the last regular meeting of the previous year. Notice of all meetings shall be posted at City Hall by December 31st of each year. The notice shall include the date, time and place of the meeting. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls on or near a legal holiday, the Commission shall select suitable alternate dates in the same month, in accordance with the Open Meeting act.

3.2 Commission Absences. In order to maintain the maximum participation of all appointed Historic District Commission members at all scheduled meetings, the following is the attendance guide and Commissioner replacement policy for “excused” or “unexcused” absences:

1. When appointed, each Commissioner should state his/her willingness and intention to attend each scheduled meeting of the Historic District Commission.
2. In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Commissioner from attending the scheduled meeting; the Commission Chair or staff Liaison to the Historic District Commission should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Commissioner upon this notification will receive an “excused absence” for the involved scheduled meeting.
3. If any Commissioner is absent from three (3) consecutive scheduled meetings without an “excused absence” for any of the three (3) meetings, the Commissioner shall be reported in writing to the City Manager. The City Manager will contact the Commissioner in writing and question his/her continued ability or interest in being on the Commission, giving the member a chance to rectify the attendance issue or submit a resignation.
4. There will be no limit on the number of consecutive “excused absences” for any Commissioner. However, if the Commissioner is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Commissioner in writing and question the member’s continued ability or interest to be on the Commission. The Commissioner will be considered for an appointment nullification when the absences total six in the calendar year.
5. The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.

3.3 Special Meetings. A special meeting may be called by the Chair, or three members of the Historic District Commission upon written request to the Recording Secretary. **The Recording Secretary shall provide notice of special meetings to commission members by personal deliver, first class mail, telephone or electronic mail such that the notice may be received by the members at least 18 hours prior to the special meeting.** The business

~~which the Historic District Commission may perform shall be conducted at a public meeting of the Historic District Commission held in compliance with the Open meeting Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meeting act, and the Recording Secretary shall provide notice to commission members by writing, telephone, or e-mail.~~

3.4 Quorum. In order for the Commission to conduct business or take any official actions, a quorum consisting of at least a majority of the appointed Commissioners shall be present. When a quorum is not present, no official action, ~~except for the closing of the meeting~~ may take place. The members of the commission may discuss matters of interest, but shall take no action until the next regular or special meeting. ~~All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required provided the date, time and place is announced at the meeting.~~

~~3.5 Public Hearings. Hearings shall be scheduled and due notice given in accordance with the provisions of the Acts and Ordinance cited in Section 1. Public hearings conducted by the Historic District Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure.—~~

- ~~1. The Chair of the Historic District Commission shall announce that a public hearing will be conducted on a request.—~~
- ~~2. The Chair shall read the public hearing announcement as published in the newspaper and give a brief description of the hearing subject and the public notice procedure.~~
- ~~3. The Chair shall announce the following hearing rules:~~
 - ~~a. The Chair will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.~~
 - ~~b. Each speaker shall state their name and address for the record and may present written comments for the record.—~~
 - ~~c. Speakers shall address all comments and questions to the Historic District Commission and comments will be limited to the subject matter of the Public Hearing.—~~
 - ~~d. Unless waived by the Historic District Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for collective comments of the group as presented by that speaker.—~~
 - ~~e. The Chair may require that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak. Everyone shall have an opportunity to speak before someone is allowed to speak a second time.—~~
 - ~~f. The Chair may establish additional rules of procedure for particular hearings as he/she determines appropriate.—~~

- ~~g. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior may result in removal from the hearing or an adjournment.~~
- ~~4. Once all public comments have been stated, the Chair shall close the hearing. Any voting member of the Historic District Commission may initiate a motion to close the hearing.~~
- ~~5. Public Hearings shall be carried out in the following format:

 - ~~a. The Chair shall open the hearing.~~
 - ~~b. The Applicant shall present any comments and explanation of the case. Applicant's presentation shall not be subject to the five (5) minute limitation.~~
 - ~~c. The City staff and any consultants serving the City shall present their reports.~~
 - ~~d. The hearing will be opened for public comment.~~
 - ~~e. The public comment period will be closed.~~
 - ~~f. Deliberation and discussion by the Historic District Commission.~~
 - ~~g. Disposition of the case by the Historic District Commission.~~~~

3.6 **5** Motions. Motions shall be restated by the Chair before a vote is taken. The name of the maker and supporter of each motion shall be recorded.

3.7 **6** Voting. An affirmative vote of the majority of those members present shall be required for the approval of any requested action or motion placed before the Commission. Voting shall ordinarily be by voice vote; provided however that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson. All members of the Commission including the Chairperson shall vote on all matters, but the Chairperson shall vote last.

3.8 **7** Order of Business. A written agenda for all regular meetings shall be prepared. **The order of business shall be:**

- Call to Order.**
- Roll Call**
- Approval of Agenda**
- Approval of Minutes**
- Public Comment on Agenda related items**
- New Business**
- Old Business**
- Correspondence**
- Staff Reports**
- Public Comments and Communications**
- Member's discussion**
- Adjournment**

3.9 **8** Rules of Order. All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure as adopted by City Council for all Boards and

Commissions within the City of Manistee.

3.10 **9** Agenda Items. For an item to be considered at a regular Historic District Commission meeting, it must be ~~submitted to~~ **received by** the City **at least ten (10) days prior to the meeting.** ~~no later than the established policy of the City prior to the next scheduled Historic District Commission Meeting.~~

3.11 **10** Conflict of Interest:

1. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - a. A commission member issuing, deliberating, voting or reviewing a case concerning himself.
 - b. A commission member issuing, deliberating, voting or reviewing a case concerning work on land owned by himself.
 - c. A commission member issuing, deliberating, voting or reviewing a case involving a corporation, company, partnership, or other entity in which he is a part owner, or any other relationship where he may stand to have a financial gain or loss.
 - d. A commission member issuing, deliberating, voting or reviewing a case which is an action which results in a pecuniary benefit to himself.
 - e. A commission member issuing, deliberating, voting or reviewing a case concerning his spouse, children, step-child, grandchildren, parents, brother, sister, grandparents, parents in-law, grandparents in-law or member of his household.
 - f. A commission member may consider the possibility of declaring a conflict of interest if his/her home falls within a notification radius used for a Public Hearing. Because the sending of the notice automatically presumes some degree of interest, this fact should be recognized by declaring a conflict, particularly if a financial impact is likely.
 - g. A commissioner who feels, in his/her judgement that his/her job, scope of duties and/or position may be at risk, pending the outcome of the permitting process.
2. A commission member shall, when he/she has a conflict of interest do the following immediately, upon the first review of the case and determining a conflict exists:
 - a. declare a conflict exists at the beginning of the meeting where the case appears on the agenda, or when the topic brought up so such declaration is recorded in the minutes, and
 - b. refrain from participating in the discussion, site inspection or review of the case, except where specific information has been requested by the commission, and
 - c. refrain from casting a vote on any motion having to do with the case.

4. MINUTES

4.1 Preparation. Commission minutes shall be prepared by the Recording Secretary of the Commission. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording votes; complete statement of the conditions or recommendations made on any action; and recording of attendance. All

communications, action and resolutions shall be attached to the minutes.

~~5. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS~~

- ~~5.1 All meetings of the Commission shall be open to the public and held in a place available to the general public.~~
- ~~5.2 All deliberations and decision of the Commission shall be made at a meeting open to the public.~~
- ~~5.3 A person shall be permitted to address a hearing of the Commission under the rules established in subsection 3.5, and to address the Commission concerning non-hearing matters at the time designated for such comments.~~
- ~~5.4 A person shall not be excluded from a meeting of the Commission except for breach of the peace, committed at the meeting.~~
- ~~5.5 All records, files, publications, correspondences, and other materials are available to the public for reading, copying, and other purposes as governed by the Freedom of Information Act.~~

5. ANNUAL REVIEW OF BY-LAWS

The Commission shall annually review their By-Laws at the regularly scheduled meeting in December.

6. AMENDMENTS

These rules may be amended by the Commission by a concurring vote subject to subsection 3.7, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered. **Amendments are subject to approval by City Council.**

I HEREBY CERTIFY that the above Bylaws were adopted the 6th day of April 2017.

Mary (Teena) Kracht, Chair

[Annotation: As approved by the City Council at their June 2, 2009 Meeting - Council authorized the bylaw amendments for all Boards and Commissions to include the new Board Absences language; directed all boards or commissions to implement and follow these changes as Council has requested; and authorized the Mayor to sign the amended bylaws.]

[Annotation: On February 4, 2016 the Historic District Commission amended Section 6 Annual Review of By-Laws was

amended for the annual review of the by-laws to take place in December instead of January]

[Annotation: On April 6, 2017 the Historic District Commission AMEND Section 1 Authority by citing Chapter 1290 Historic District; AMEND Item 2.1 Selection by adding that the Recording Secretary is the City Manager Designee and updated how officers are appointed if they no longer serve on the commission; NEW language for Item 3.1 Meeting Notice and 3.3 Special Meetings; DELETED Item 3.5 Public Hearings (renumbered list); ADDED the Order of the agenda to item 3.7 Order of Business; ADDED language that items for consideration must be received at least 10 days prior to the meeting to item 3.9 Agenda Items; DELETED Section 5 Open Meetings and Freedom of Information Provisions (renumbered list); ADDED to Section 6 "Amendments that Amendments are subject to approval by City Council"]

Approved by the City of Manistee Council

Date

James Smith, Mayor