

**Minutes  
Landmarks Commission Meeting  
June 15, 2016  
4:30 pm**

Chair O'Conner called the meeting to order at 4:40pm.

Present: Chair Aldm. Mary O'Connor, Ms. Branda Weix, Mr. Rick Bernstein

Excused: Ms. Rebecca Holmquist, Mr. Matt Aro

Also present: City Planner and Economic Development Director Sonja Reichertz

Approval of Minutes: A motion was made by Ms. Weix, seconded by Mr. Bernstein, to approve the minutes of April 20, 2016. The motion carried with no changes.

Appearances: There were no appearances.

Unfinished Business

**A. Commissioner Updates on Additions to the Wisconsin Historical Society Architectural Survey Database.**

Staff reminded the Commission to complete updates to the spreadsheet. The Commission noted a couple address changes on the spreadsheet.

**B. Commissioner Updates on WVMO Radio Recordings.**

Staff reminded the Commission to work with Media Director Will Nimmow to schedule readings about Monona Landmarks.

**C. Discussion of Pagoda Restoration – Draft Historic Preservation Plan.**

Staff presented a draft historic preservation plan that outlines a framework with which to address potential changes to a historic resource during the planning process, explore alternative plans of action, and minimize loss, damage, or irreversible adverse effects on the resource. The document is to serve as a decision making guide for the Landmarks Commission and other Monona elected and appointed decision makers to evaluate future preservation, rehabilitation, restoration, or reconstruction efforts.

The Landmarks Commission discussed the draft plan and information provided therein. The Commission discussed timing – first in terms of how much longer the Pagoda can sit idle without any repair or restoration before it is beyond repair, and second in terms of when other park improvements will occur at Stone Bridge Park.

Regarding the timing of Stone Bridge Park improvements, Staff reported that she talked with Parks Director Jake Anderson who estimated that the Capital Budget request for Stone Bridge Park will likely be a 2018 request for design and engineering and a 2019 request for construction.

Mr. Bernstein said he is not sure if we can afford to wait until a 2019 park construction project in order to address the pagoda. However, there is cause for concern that if we restore the pagoda before the park work is done, the park work could cause damage to the pagoda structure. Mr. Bernstein noted that if the pagoda scope of work is only replacing the roof, it may not be as big of an

issue to coordinate with park work. The only reason to wait would be to avoid damaging the park work, but if the Landmarks Commission cannot wait, then a safe guard would have to be put around the pagoda during park construction and equipment would just have to stay away from it. However, the problem then becomes finding a structural engineer willing to evaluate the pagoda's ability to hold a new roof. He said if the roof deteriorates further, it makes the rest of the structure that much more susceptible to damage.

Staff reported that she contacted Josh Straka from Strand Associates for information on whether a structural analysis of the pagoda could be completed. In brief, the structural engineers at Strand are not comfortable completing this analysis or providing a recommendation on the structural condition. Mr. Straka explained that it will be very difficult to determine the stability of the footings without knowing how deep they go down, how the columns were constructed, or what materials the columns are made off. Strand cannot determine this information without having access to historic building prints, which do not exist. The information could be further investigated by excavating around the base to learn more about the structure's footings, however, this caused concern for destabilizing something that appears to be stable and disrupting compacted soil. Mr. Straka said all of this information would be required before Strand can analyze the load bearing capacity of the columns for a new roof, and even then, there is too much liability and risk, such as the roof being unstable, falling, and hurting someone, that they are not interested in making a recommendation.

Ms. Weix noted that even if the roof is replaced, we still do not know what the base structure's estimated life span is.

Mr. Bernstein said it appears the Commission is at a crossroad as far as needing more information to determine whether a capital budget request will be made. He said he believes more architectural history expertise is needed and he offered to contact Charles Quagliana for assistance. If Mr. Quagliana is not able to assist, Mr. Bernstein will ask him for recommendations of other structural engineers that may be able to help.

The Commission discussed timing for a capital budget request either this year (for the 2017 budget) to restore the pagoda or waiting one more year for a 2018 restoration. Chair O'Connor said if we want to request a capital budget item for construction in 2017, we need a ballpark estimate by the end of next month (July). The Commission discussed that in order to get this estimate, we need to have an expert do some analysis and study in a short period of time, and that would require funding out of the Landmarks Commission budget.

The Commission reaffirmed that pursuing protection of the Pagoda is the responsibility of the Landmarks Commission and that it was a priority to spend Commission funds on an expert's analysis. Chair O'Connor mentioned previous discussion of moving the pagoda up closer to the road. The consensus of the Commission is that the Pagoda should be restored in its current location.

Ms. Weix said if we wait for the park improvements, there simply may not be a pagoda left to protect. Mr. Bernstein added he is concerned about the pagoda surviving another winter. Ms. Weix added that perhaps the study would provide recommendations on protecting the pagoda through another winter until restoration can occur.

Staff read previous information provided by Charles Quagliana stating that he estimates about \$3,200 to cover a preservation plan and preservation implementation study.

A motion was made by Ms. Weix, seconded by Mr. Bernstein, authorizing staff to execute a contract of up to \$3,000 from the Landmarks Commission budget with a preservation architect for a structural and concrete analysis of the pagoda, which should also include an

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estimate of the cost of restoration of the pagoda, before the July 20th Landmarks Commission meeting.

Discussion continued. Mr. Bernstein said we are trying to get a rough plan from Charles Quagliana done before the July Landmarks Commission meeting so we can see how much restoration might cost so that we can put a capital budget request in by the end of July. A full detailed plan will be needed after the July meeting, but right now our goal is just getting the ballpark number which means he will have to do at least some engineering analysis in the short term.

The motion carried.

#### **D. Discussion of Potential Archaeological History Projects.**

Mr. Bernstein reported that he called potential consultant George Christianson, who is terribly busy and cannot commit to a project right now. Mr. Christianson said he would share an educational piece however about pursuing protection of archaeological sites. Mr. Bernstein also talked to Amy Rosebrough at the Wisconsin Historical Society (WHS) who said that it would not make sense to nominate just one mound; this would be analogous to nominating just one gravestone in a cemetery. To nominate all of the mounds, one would need a majority of all the property owners. Mr. Bernstein also talked to John Broihahn of WHS who added that nomination for the register may not even be necessary. Mr. Broihahn suggested the best way to protect a mound is to seek a preservation covenant which allows the property owner to receive tax exemptions. Mr. Bernstein explained that a preservation covenant is permanent protection on the deed that would run with the property, and gives a certain amount of review to the WHS. This essentially is the property owner giving up one property right regarding the historic resource in exchange for tax exemptions.

Ms. Weix asked if the property owners were already unable to disturb the mounds.

Mr. Bernstein said there is a law that exists; however, as shown by recently proposed legislation, that law is tenuous and may not be around forever. He added there is not a lot of policing or oversight. Often mounds are disturbed but the WHS does not hear about it until after. The protection covenant is one level of protection that is easy to manage but also provides monetary incentive to the property owners.

The Commission discussed that the property owners may not be fully aware of the mounds' existence on their property, or their significance and that would be part of the Commission's role to make that information available.

The Commission discussed future steps for any mound on City owned property, wondering if the City would be willing to place a protection covenant on their property as a model. The Commission suggested entering into this covenant first to learn more about the process, and then share the information as education to other property owners with mounds on their property. The Commission would invite the City Council, homeowners, and someone from WHS to talk about importance of the mounds and the benefits of the tax exemption. The Commission said it would need guidance from the City Attorney on the covenant as well, and that perhaps he could provide a memo to the City Council.

Ms. Weix noted we should also talk about the impact the city if the other mounds become tax exempt.

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The Commission will discuss the process further and plans to make a recommendation to Council regarding being a model for other privately owned burial mounds. Mr. Bernstein will provide a model covenant and perhaps some literature on tax exemptions.

There was no further discussion.

#### New Business

##### **A. Discussion of Forms and Process for Landmark Site/Building Nomination.**

This information was not discussed and will be forwarded to a future agenda.

##### **B. Discussion of Items for Future Agenda**

Discussion of major projects including the pagoda and burial mounds will continue, as well as nomination forms. The Commission also discussed expanding the number of Landmarks Commission members by ordinance to seven, as part of the City's overall recodification process. Expand members.

#### Adjournment

A motion was made by Mr. Bernstein and seconded by Ms. Weix to adjourn was carried.  
(6:00pm)

Respectfully submitted by:  
Sonja Reichertz  
City Planner