

*Summary Minutes*  
City of Sedona  
Historic Preservation Commission Meeting  
Vultee Conference Room, Sedona City Hall, Sedona, AZ  
Monday, January 12, 2009 – 4:00 p.m.

**1. Verification of notice, call to order, roll call and Pledge of Allegiance.**

Chairman Unger called the meeting to order at 4:00 p.m.

**Roll Call:**

**Commissioners:** Chairman Brynn Unger, Vice Chairman Greg Ruland and Commissioners Richard Mayer and Marjorie Miller

**Staff:** Kathy Levin

**Council Member:** Vice Mayor Bradshaw

**2. Public forum for items not on agenda. Limit of 3 minutes per presentation. (Note that the Commission may not discuss or make any decisions on any matter brought forward by a member of the public).**

*The Chairman opened the public forum and having no requests to speak, closed the public forum.*

**3. Consent agenda:**

**a. Approval of minutes of December 1, 2008 meeting.**

The Chairman indicated we need approval of the minutes of December 1, 2008.

**MOTION:** *Commissioner Miller so moved. Commissioner Mayer seconded the motion.*

**VOTE:** *Motion carried four (4) for and zero (0) opposed.*

**4. Commission and staff announcements and summary of current matters.**

Kathy Levin announced that the Heritage Grant was submitted in December and she and Jessica both worked on it. It is for a \$108,418 Jordan Historical Park project and applicants will be notified in April. She just received notice that the CLG Grants cycle has been opened and the application deadline is February 27<sup>th</sup>. The possible application for that could be the preparation of the Saddlerock Ranch National nomination or the poster project. Also, a first draft of the National nomination for the Chapel of the Holy Cross was received and Nancy Burgess has also sent this draft for comment to SHPO. Kathy sent her edit remarks, but unfortunately, the National Register Coordinator has left SHPO and Nancy Burgess was notified by Bill Collins that he wasn't sure how quickly he would be able to receive our application and it may not be in the queue for this year. Nancy will ensure that all of the attachments and edits, etc., are sent as quickly as possible, so hopefully, this can be heard in this next cycle. We also have three openings on the Commission and we received one application; that individual will be interviewed the end of this month, and we are readvertising for the other vacancies. Effective February 1<sup>st</sup>, all employees will be returning to regular 5-day work schedules. Lastly and sadly, Gary Libby, a former Commissioner passed away last week.

**5. Discussion/possible action on 2008-09 Historic Preservation Small Grants Program (15 min.)**

Kathy Levin indicated that six inquiries were received and staff met with three potential applicants on December 17<sup>th</sup> and as of Monday we had received two applications. She and Jessica reviewed them and there are a number of deficiencies in the applications. We would like to ask a couple of interested Commissioners to assist us in reviewing the applications and bids on-site and post award, and then we can come back at the first meeting in February and make a recommendation regarding funding. Jessica confirmed that is basically the process. Kathy indicated Commissioner Mayer and Vice Chairman Ruland would be the Commissioners involved. The Chairman agreed that Commissioner Mayer's background would be helpful in reviewing the bids.

Jessica indicated that the two responses were from the Sedona Arts Center; they want to rebuild the stairway for the Art Barn and then Doris Banks, for the H. H. Nininger house also applied. Should both of them be funded that would use up the remaining \$6,423. We would like to meet as soon as possible, since it has to be done by the end of the fiscal year. Kathy indicated that she can distribute copies to the two Commissioners after the meeting, and then perhaps we can set up a meeting for next week. Commissioner Mayer indicated he would need to go to the site to provide an accurate opinion. Chairman Unger noted that Doris Banks is now willing to landmark and she submitted her application; however, we will discuss that in March.

The Chairman indicated that if we can address these grants in the February meeting that would be great, but it is interesting that the numbers dovetail with the funds available; it is amazing that it came out so close. Commissioner Miller noted that we shouldn't let that sway us and the Chairman clarified that it would never sway us; it is just interesting.

**6. Discussion on possible designation of the "Doodlebug Ranch" as a local historic landmark including a discussion of its potential eligibility under §1507.03 of the City of Sedona Land Development Code (30 min).**

Chairman Unger explained that we are not making a decision today as to whether or not we feel Doodlebug Ranch is a possible designation for a local landmark, but we want to talk a little bit about it. If you read the Statement of Significance, its significance is incredible and the number of people who have lived there, etc. The question has been whether or not the changes to the property are significant enough to put it in a position of not being able to landmark it. The most serious addition would be the part of the building placed on top of the structure. The addition in the back isn't seen from the front, and her understanding is that if someone recognizes it as the building that was previously there, it would validate it being a possible landmark, but the question is if the addition on the top nullifies that.

After looking at the Statement of Significance, it has a lot of validity there; the issue is that we are looking at it from an architectural standpoint, and on another issue, her son indicated it is a matter of context and whether or not this feels like it breaks the context of that building. You hope not to make any of those additions or not to have to remove any of those additions. She has the Secretary of Interior's Standards of Rehabilitation, which talks about what you can and can't do, but it doesn't address what has been done or what shouldn't have been done. Today, we just wanted to have a discussion about it.

Vice Chairman Ruland referenced the Statement of Significance, where integrity and this kitchen issue is raised; there is also a point that apparently the tool shed and garage have been so altered, they would not qualify, so one question was if we consider the tool shed and garage to be part and parcel of the home, and if they don't qualify, could the home qualify. Kathy indicated yes, those could be contributing properties and they may or may not still have their historic integrity. The Vice Chairman asked if these structures detract from the historical significance of the main house and Kathy said no, but they would be non-contributing buildings to a potential designation of a landmark for the main house.

The Vice Chairman indicated that the kitchen is the heart of any home and that is a key area, and if it has been turned into a modern-looking kitchen, then that may have destroyed the architectural integrity, because it is so central to that home; asked if there are photographs we can see or any descriptions of the kitchen itself, and Kathy responded both; the Statement of Significance discussed how the addition took place and the intent to make it more livable for that owner and that it wasn't generally visible from the street, so it is important to know you can make modifications in some way that is acceptable and doesn't detract from the overall appearance. One test the former Chairman used to say is if the original owner walked up to this building would he or she recognize it? The Chairman explained that that the kitchen is in the back of the building, not in the front; the only thing that isn't obscured from the street is the addition to the top of the building.

Kathy Levin indicated that addition was added in the 80s, whereas the Hart Store was built in 1926 and had modifications. Its modifications 50 years ago and forward, still contribute to its historic integrity. This was a very thoughtful addition by the Garland family, whose family was growing, and they put a master bedroom on top with a beautiful patio; it changes the front view and long bungalow appearance and interrupts the roofline. She showed a picture of the original etching from 1936 that is near the hearth in the living room and indicated the home has a marvelous history of prominent occupants.

Commissioner Miller explained that the basis for landmarking is based on the exterior appearance; you can do anything you want on the interior, so she doesn't feel that the remodeling of the kitchen, which is still very indigenous to the original materials in the house and extremely befitting to the house, need be our concern, because we have to make our judgment on the exterior. Kathy explained that it does affect the exterior appearance, but it is not visible from the front.

Chairman Unger indicated that at a conference, they showed an old traditional colonial building and the front was perfect while the back was all glass, but another point is in certain ways making it very different lets you see the original structure more than if you were to duplicate it. She provided examples that exist in New York City, including the Museum of Modern Art, another museum and a third that was a building where they duplicated the façade, and in terms of historic preservation, the third one got everybody's dander up, because you couldn't tell where the old building was and where the new addition was. For her, the kitchen is less of a difficulty, because you know that is a contemporary piece of architecture, while the thing on the roof blends in with it. Every time we evaluate something like this, we are going to be faced with determining whether or not we look at it from the standpoint of telling where the new addition was added or that we can't. The best thing might be to talk with SHPO and find out if they would recognize this. Kathy explained that they were consulted to determine if it would be eligible for the National Register and in their opinion it would not, because of the addition above.

Commissioner Mayer indicated that when he joined the Commission, he was not in favor of landmarking it, because of the addition. The upstairs section was not something they did then, but because some people do renovations to old buildings, it saves them instead of just tearing it down, and perhaps we have to deal with some of these in their context. When he read the history of the home and after being on the Commission 3 years, he realizes how difficult it is to get people to consider landmarking, so perhaps we have to change our opinions a little to secure what is left. He doesn't like what they did to it and he doesn't think it folds in at all; it is just plopped on top, but it is there and it has a huge history. They obviously want to do something with this, which is rare, and it has been owned by so many people in our history, so he is leaning more toward doing it as a local landmark. If we are going to have tunnel vision, we won't get anything. Kathy Levin pointed out that the next owner may not have the aesthetic appreciation of an historic structure.

Vice Chairman Ruland indicated another way to think about it is how we weight each element; on balance, any deficiency that we notice in architecture is overwhelmed by the history. Chairman Unger agreed and indicated that we have to be more cognizant of that, because when we consider what we are here for, our Mission Statement includes a lot more than just the architecture, and if we were only to judge it purely from an architectural standpoint, she would have to say absolutely not, but if we also consider the history . . . , and in a funny way it does look like it was plopped on top, so it is distinguishable as something that in all probability was not there to start with. Her objection, in going forward, is that we will have to look at it in an entirely different fashion. That is why she asked if everyone had the Standards for Rehabilitation, because that is an issue we will have to be cognizant of, but in this case, it has been done and we wouldn't go for national recognition. We can't vote on it at this time, but we can at least verbally state that it has enough credibility to go ahead and ask for Landmark designation.

Staff noted that the celebrity context was also discussed at the Commission's retreat, and Vice Mayor Bradshaw indicated that as long as you state the reasons why you are doing it in your role, specifically, about the importance of this versus they don't quite hit over here, and you actually still make it a really hard hurdle for people to jump over. The reason why you are doing it doesn't really affect your future, as far as looking at grants, etc., as much, as long as you are specific as to why you are allowing it to happen.

Vice Chairman Ruland indicated that he didn't realize we have to find this balance, because if anybody can get one of these designations, we jeopardize our ability to get grant money. Kathy Levin explained it jeopardizes the integrity of this process. Chairman Unger explained that when a property is considered for designation, certainly in the Statement of Significance, we could list history as the top reason, rather than the architectural integrity, and that would probably help us in looking at other buildings in the future. For anyone doing this, that is a concern; we have looked at other properties and backed away, because so many things have been changed, but they have a lot of significance, like the Max Ernst house. Somebody could say this is where he lived and painted, but there is a degree of change and we can say these are the elements that have been added and why it falls into a lesser category in terms of architecture. Commissioner Miller added that she knows the present owner of Doodlebug Ranch treasures its history and its structure, and were it to be landmarked they would maintain it in excellent condition and with integrity, so throughout future owners, they would be called upon to maintain that integrity and history that it embodies. Kathy noted that ultimately it is the property owner's legacy to the community.

Commissioner Mayer asked about landmarking it and then having someone else buy that property and say that it was modified, so why we can't modify it, and Kathy explained that we will have to deal with that under the Certificate of Appropriateness process. Vice Chairman Ruland indicated that the Commission would have to make a judgment about how far off from the kitchen and bedroom the new modification is; if it is within the confines of what they did previously, it seems that it would behoove us to say it is okay.

Chairman Unger indicated that might be difficult; we don't want any more modifications on the face of it. Kathy indicated that the Certificate of Appropriateness states, "It is required before commencing any exterior improvements or development, including alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, of any landmark or property . . . that may require or may not require a building permit." Commissioner Mayer indicated he just doesn't want us to get in a trap; Kathy explained that there isn't any action you can take today that can anticipate what might come in at some future point in time.

Chairman Unger indicated that the Secretary of Interior's Standards talk a lot about the history of the building, and when we judge anything here, that is one of the things we will have to draw on. Kathy stated that she knows the property owner is earnest about seeing this property landmarked and she has left an application today.

*The Chairman opened the public comment period at this time.*

**Patricia Zeitlin, Sedona, owner of Doodlebug Ranch House, Sedona, AZ:** Indicated that she is pleased that you are considering it, because she thinks it is a very special property. She would like to see it stay that way; if this doesn't happen, it is possible that someone could slap another addition on without going through a process. This process wasn't available 20 years ago, when the upstairs addition was added, and she is not sure if it was available 12 years ago, when the kitchen addition was put on. Those of you who have not seen it, she would like to have you come over any time. You mentioned something about the kitchen and it is an amazing addition that incorporates the exterior of the house; it really creates a continuation of what was started and creates that feeling of it. It is wonderful that you are considering it, and she is certainly not going to do anything, if you decide not to do it. She is not going to mess it up in any way and will continue to preserve it, but she does think it is an important property and would like to have you consider it.

She wanted to clarify the information about the garage and the shed; she would like to have you look at that part again, because it is not quite this way where it says, "The guesthouse which was the garage . . ." The guesthouse was a storage area; there are two apartments in there and the back apartment was a bunkhouse for the cowboys that used to live there, and that is pretty much the same, and the garage is there, so as to what was built first, it has the feeling that it was all one building that may have been modified on the interior, not added on to, but she thinks the original downstairs bedroom was also a garage at one point, and somebody said there was a gas pump outside in Staude's time. She invited the Commission to come over at their convenience and Kathy can set it up with her. Kathy suggested a site visit either before or after your next meeting; she would have filed the application and we won't hear it until March. Our next meeting is on the 9<sup>th</sup> of February, so we could do the site visit at 3:00 p.m. and convene there, before the Commission meeting at 4:00 p.m.

Chairman Unger indicated that she thinks you can tell the kitchen is an addition, but it doesn't really diminish the look of the building; the part we really need to see is the front.

*The Chairman closed the public comment period at this time.*

**7. Discussion/possible action on proposed Commission work plan and budget for 2009-2010 (15 min.)**

Kathy distributed a handout and indicated she reproduced what you have seen before; one side is the Work Plan and the other side is the proposed budget. Chairman Unger recalled that we reviewed the Work Plan at the last meeting and there weren't too many alterations; asked if there is anything on the Work Plan that we should revise. Commissioner Mayer provided the last disk that was missing with the report, and indicated in the future, we should use one camera and one person to do all of the photography; it is a mess.

Vice Chairman Ruland noted that he doesn't see any verbs in this Work Plan. Kathy suggested saying the following: Seek to Landmark, Prepare National Nomination, Conduct Education, Implement Small Grant Program, Apply for CLG Grants, Reissue Most Endangered Places List and Provide Commission Support.

Vice Mayor Bradshaw explained that this year's budget review is going to be a little more intense than last year's, so he would get it as detailed as you can, as to where the money is going to go. Kathy explained that the Commission's budget is incorporated into the department's budget and there is little space for comment. The Vice Mayor advised that the Commission should really be sure that they are going to need it, because there are going to be a lot of cuts. The Chairman suggested prioritizing the budget and the Vice Mayor indicated it wasn't necessary to prioritize it, but he would make sure you are going to use it and need it, and he will be in there fighting for it, so he would like as much detail as possible, plus he wants to know that you are definitely going to need it, what it will be for and that it will be effective, so he can justify it. You are doing a pretty good job with how you have worked on the bronze plaques, but whatever detail he can get the better, because it is going to be one of those years.

The Chairman indicated that the National nomination is Saddlerock; Vice Chairman Ruland recalled that last time we had actual numbers and wrote them down, but he doesn't see them reflected here. He kept numbers in each of these columns and we discussed each of these areas. Kathy indicated she doesn't know if we actually put numbers on the poster and roll-up or if we were investigating the costs. Vice Chairman Ruland indicated that we had stricken the roll-up and completed this list, with the exception of a vote as he recalls.

Kathy scanned the minutes and read that we discussed Professional Services for a consultant to write a nomination and that is the \$4,000 number for Saddlerock, and Kathy noted that we can also show it on CLG grants, so if we write a grant and it is funded, it is reflected in one area, and if not, it stays under Professional Services. New initiatives may have a hard time making it through the budget, and we agreed that the new initiatives were the poster and the roll-up and the professional services to prepare the poster. We were divided as to whether or not we should be asking for money for new programs this year. She recalled Vice Chairman Ruland saying that was Council's decision and we should tell them what we want and let them say no, while her position was to not ask for new programs this year, and she thinks that is why we brought it back, so we would have some

consensus on what we will take forward, and it was to also give us a second opportunity to review our priorities.

Vice Chairman Ruland indicated that we should definitely not prioritize this, because that is doing the Council's job; we would just be telling them to cut from the bottom, so to get a budget that we think is workable, he doesn't think we should prioritize. Vice Mayor Bradshaw indicated that he doesn't see last year's budget here and how it compares to what we are going to request this year. Kathy indicated that it is reflected in the departmental budget, but it would be good for you to have that information. The Vice Mayor added that if there is something that is going to be different than last year, he needs a really good explanation about what it is going to be used for and why it is important, because additions are going to be difficult. Vice Chairman Ruland volunteered to write a narrative for each item. Chairman Unger indicated that would be very good. Vice Mayor Bradshaw stressed that the more he has the better.

Chairman Unger pointed out there are things we have little control over and we don't have a number for the staff wages; we have training and staff development, and that would be Kathy going to the conferences. Kathy agreed, but explained that Council has asked us to reduce our training budgets by 25% for the remainder of this year, and she needs to get a clear directive from our Assistant Director as to what we will do on that. Chairman Unger expressed a willingness to pay for herself, so Kathy can attend.

Vice Mayor Bradshaw indicated that looking at the budget, he thinks what will come under attack will be the \$3,000 for the conference, the Professional Services will have to be defended, and Training and Staff Development and Staff Conference again. He thinks the smaller ones will be alright. The Printing and Office Supplies, Bronze Plaques and HP Month – Ranger Station, he thinks that will be fine, but it may be reduced by a percentage. He thinks he can defend the Small Grants, and on the matching funds, if you provide an "or", they will take the smaller amount. Kathy indicated that she will rewrite the National nomination as a grant, so we would be asking for the match, which would be \$1,600. The Vice Mayor suggested that the Commission determine what the real number is and get that in there. Vice Chairman Ruland asked if he was saying that the \$4,000 for Professional Services is in jeopardy, including the vernacular poster and portable education exhibit, and a portion of the Training/Staff Development is at risk for staff, and the Commission Support for the conference, plus even the bronze plaques are at risk. Vice Mayor Bradshaw clarified that the whole amount won't be at risk, but they will probably reduce that amount.

Chairman Unger pointed out that we don't have any verbiage about what the plaques are intended for, the Vice Mayor agreed and requested information; he can defend the Small Grants Program. Whenever you are talking about a matching grant, it is fairly easy to defend those, but when you are talking about things we can put off to a different year or are not critical, he thinks those are the ones they will come after, unless he has a good explanation. Commissioner Miller suggested eliminating the vernacular poster and the portable education exhibit at this time, because we are continuing with our history boards. The Vice Mayor added that we are also cutting things from last year's budget. Vice Chairman Ruland asked if there was a line for those two things last year, and Kathy said no that would be new. Vice Chairman Ruland pointed out that the Council will never know that we made a cut, or are we going to demonstrate that we have exercised discipline and made some cuts; he would at least show them that. The Vice Mayor agreed that he would show the original one and then what you are coming forward with, so there is a budget and

a revised budget. The Chairman indicated that is a good idea; it shows that we tried to do that; otherwise, it looks like we just handed in the same thing without thinking about cuts.

Vice Chairman Ruland asked about everything else and Vice Mayor Bradshaw explained that you never know what they are going to pull out and who is going to have a problem with what, but he is looking at the past and what has been attacked before, and what things people feel can be adjusted or removed. Vice Chairman Ruland indicated that his concern is if we submit a bare bones budget, it is going to be cut anyway. The Vice Mayor stated that is why he would take the original budget and put a revised budget next to it; the Chairman pointed out that is almost like prioritizing. Vice Mayor Bradshaw indicated it is saying that you already looked at it and made your own adjustments versus having Council try to make those adjustments for you. If you want all of it, then he will fight for all of it, but if there is something you can reduce . . . Vice Chairman Ruland asked if the \$4,000 is a bottom line figure and Kathy explained that is a real cost; we have been paying \$3,800 and that includes the photos, etc. Vice Chairman Ruland indicated that what is left that is discretionary is the Commission Support; Kathy indicated that it is about \$700 to send one Commissioner. Vice Chairman Ruland suggested just sending one or two. Vice Mayor Bradshaw suggested looking at that and also getting a real number for the matching one.

Chairman Unger indicated that the one at the bottom is still a little confusing to her, because we are talking about a match with the National nomination and it is also up above. Kathy indicated that with a \$4,000 National nomination under a 60/40 matching program, we would be asking the City for \$1,600 and perhaps we can get \$2,400 from the state, so that number will go down. The other thought is to suggest writing two grants, one for the National nomination and one for the poster and professional services for that, and then justify two grants to CLG; she has gotten two funded before. The Chairman asked if that means we would strike the \$4,000 from Professional Services and Kathy said yes and requested Commission assistance on costing out the poster and professional service required, then she will know what to drop into the budget and what to write the grant for. Vice Chairman Ruland indicated he thought the vernacular poster was something we didn't want to do and the Chairman agreed that we dropped that out. We talked about a poster for the front area. Kathy indicated she will write that out of the application then.

The Vice Mayor explained that one of his pet peeves is that if it is in the budget, he wants to ensure that we can actually do it; yours is a very actionable plan, but there are others that aren't. Commissioner Mayer pointed out that we are going to need plaques, if we landmark homes. Vice Mayor Bradshaw explained that if anything happens to that item, it will be reduced, not taken away all together, but the more you give him on how that is useful, the better it will be. Chairman Unger indicated that we will have to indicate the ones that we already envision will be landmarked, because those are the ones we want to ensure we have money for. Kathy indicated that she is aware of three; we potentially will have Doodlebug, the Nininger house and the National listing of the Sedona Ranger Station, which is a larger plaque. The Vice Mayor indicated he would like to have where the budget started, and then the revised budget. Kathy noted last year's, first budget and revised budget, and the Chairman added that there should be more verbiage, so it makes it easier to defend. Vice Chairman Ruland indicated that the Commission should look at it and approve it. Kathy explained that the budget process hasn't started yet and the Vice Mayor indicated that it will start in February. The Chairman noted that we can bring this back and Vice Chairman Ruland asked to look at it in the form it will be presented, and in advance of that meeting he will try to get with you to work out some words.

**8. Discussion/possible action on Sedona's Most Endangered Places List for 2009 (10 min.)**

Chairman Unger proposed keeping the same places on the list and suggested changing the year and the color, so it looks a little different, and that is something she could do, if we don't have anybody else to do it. She would like for people to see one for this year, but we could use the same verbiage. Commissioner Mayer asked what we are doing with this and Kathy indicated there was an article in the paper with photographs; we mailed it to the historic property owners and we have used this in Development Reviews like with Lomacasi. Commissioner Miller asked what it costs and Kathy explained we did it in-house. Chairman Unger indicated that she will just change the color, so it looks like a new one. Commissioner Miller explained that she hands these out and takes them with the boards. The Chairman suggested having a vote on changing this and reissuing it as our top four; we don't have to rank them.

***MOTION: Vice Chairman Ruland moved that we change the date to 2009 and that Brynn change the color so it can be distinguished, and then approve it in that format. Commissioner Miller seconded the motion. VOTE: Motion carried four (4) for and zero (0) opposed.***

**9. Discussion/possible action on events for Historic Preservation Month celebration in May 2009 (15 min)**

Chairman Unger indicated that things always take longer than expected, so she would like to have a launch now for sort of a theme for this. Kathy suggested to her that we might ask Joe Martori, because the Ranger Station is in the National Register now and we could do something at the Ranger Station for that month. We had also talked about the mid-century home tour, in which we would have a list to hand out, so people could go around to some of the mid-century homes; however, that is a bigger project and she hates to have too little time for a project like that, so do we think we have enough time to do that properly?

Vice Chairman Ruland asked how many homes we are talking about and Chairman Unger suggested maybe one or two homes, and then look at some mid-century properties, like the Zaharek Gallery and the one that is up Jordan Road, the old library. It is a lot of work, but we do have a homeowner that has just done an incredible renovation of a mid-century homes; however, she would also like to have lectures and bring some people in, because we have looked at the older homes and we're moving into a time where we will be looking at mid-century homes in terms of landmarking, but it is a big thing to do, and she doesn't know if we are at the point that we could put this together in a few months.

Vice Chairman Ruland indicated that whether or not we can do it depends on the scope of what you want. You are talking about multiple lectures and homes, so are you talking about taking people on a tour one evening or a series of events through the month, etc, and would the lectures be part of the series or separate? He likes the idea, but it is going to take a lot of coordination time, which he probably won't have to help on this project.

Commissioner Mayer noted that we also have to get the okay from the people; that is the first thing, to see if people are interested. Chairman Unger indicated she would be willing to put time into this, and she thinks Commissioner Miller would too; asked if we want to decide on a theme today or have her and Commissioner Miller go out and determine if people would be willing to do it, and then decide in February. Commissioner Mayer suggested instead of tying this to the Ranger Station, if we wanted maximum exposure, we could tie it to the Architectural Tour. It is not an in-home tour, but as an adjunct to it; these

are the mid-century gems, a drive-by or whatever, and then we might get more press and people through than just trying to persuade the local people. He thinks that is done in May or June. The Chairman indicated that we don't have to tie it to historic preservation.

Vice Mayor Bradshaw pointed out that you only have three meetings and you are missing three Commissioners, so you are piling a lot of work on you. The Chairman agreed and indicated we could start taking a look at it and not tie it to Historic Preservation Month, and find out when the Architectural Tour is and start talking to people about it, rather than getting in over our head. Commissioner Mayer indicated that the tour is sponsored by the Opera League. The Chairman noted that a lot of the people for lectures also teach and it is hard for them to get away in May, so she will start looking at what it will take for us to do it, but we won't look at it for May. Kathy indicated that she will get in touch with Joe Martori and see if he is thinking about this and if he would like to partner with us; he might have a whole different idea about what kind of party he wants.

Vice Chairman Ruland indicated that it seems we could cover our obligation in May with a party he is happy with. The Chairman explained that she may be able to get Chamber Music, because they have their Bluegrass at that location; they did it with us before. Commissioner Mayer indicated it would be great to have multiple things to see and multiple interests, and if you draw them in like with the Architectural Tour, they may later want to see five Madole homes at some point.

Commissioner Miller asked, if we had a venue at one of the homes where the public was invited and there was a medical problem or some litigation, who would be responsible. Kathy Levin indicated that she is not going to answer that question; we have had off-site events that we hosted, and when we did the Hart Store, she arranged to have parking and we exchanged insurance papers. We don't have to have additional riders, but it would be a City-sponsored event, so she would think the City would be in some position of exposure as well as the private property owner, but that is not a legal opinion, that is just a guess. The Commissioner suggested that before we take off on too many things in private homes, we should take that into consideration.

Chairman Unger recapped that if we look at the Ranger Station for HP Month, we can look at the other for later, to give us a little more time. It is May 2<sup>nd</sup> and 3<sup>rd</sup> that they are having the Bluegrass and they will be next door. Vice Mayor Bradshaw indicated he did a tour at ILX and they were doing the walking path from the historical barn down to the creek, and they have historical information along the way. Chairman Unger indicated she will look at that weekend and talk with Chamber Music. Kathy indicated she will wait until that date is confirmed, and then she will call Joe Martori.

**8. Discussion/possible action on Sedona's Most Endangered Places List for 2009 (10 min.)  
- continued**

The Chairman confirmed that when we get the Most Endangered Places, we can get something in the paper. Commissioner Miller indicated she would like copies when she displays the panels.

**10. Discussion/possible action on 2008-09 Commission Work Plan and commissioner involvement in Work Plan tasks (15 min.):  
a. Education and Public Outreach**

The Chairman indicated that she and Vice Chairman Ruland will get together and discuss the education program. Vice Mayor Bradshaw indicated that on the Rotary, the Vice Chairman can talk with Howard Hawk about the presentation. The Chairman indicated that our potential new Commissioner has a degree in Education and she lived in a 1682 home back east, so she would add to our writing force. One of the focal points for the next meeting will be education.

Commissioner Mayer suggested giving a speech in front of the MLS meeting on Thursday, because that is one of the stumbling blocks we have, but it might be a tougher time to convince them, because nothing is selling. Chairman Unger indicated that she wouldn't mind helping with that.

*No legal action was taken.*

**b. Survey Field Work**

Commissioner Mayer explained that everyone took their own cameras, when we did the work, and it is in different formats and some were shot in the dark, so one camera and one format next time, and we are going to go through what we have chosen from here. If we do any more surveying, we need an outline and one or two people who know how to do it. He went through all of the disks and gave Kathy a list, but if Jessica needs him there to understand some of it, he can do that. The Chairman indicated that we are targeting this for March and she can help with the PowerPoint if needed; we just need to be able to look at it. Kathy indicated that John O'Brien sent out an email asking if anyone had projects for planning students and she suggested research at the County level, and their timeframe was in March.

The Chairman noted that Steve Segner and Janeen Trevillyan will receive their plaques tomorrow night at the City Council meeting; however, Janeen is traveling and won't be able to be there.

*No legal action was taken.*

**c. Madole Home landmark prospects**

Kathy Levin indicated that Doris Banks has filled out her application in conjunction with the Small Grant Program and Chairman Unger reported that she went to the Eilenberg's home on Apache Trail and took some photographs; they are more than willing to have a party there. They also are willing to look at landmarking but the City isn't offering them anything. They have done a beautiful job of bringing the house back to what it was before. They indicated they would like to meet another person who has landmarked, so we will accompany Jill Sands, and it might be best for Commissioner Mayer to also go. We also have the photographs of the two plaques. Commissioner Mayer indicated that he wants to make a mold of it and Chairman Unger explained that they said we could take them; they were in the trash bin four times. One was created specifically for that house and the other one was supposed to be on every house, but it wasn't. Commissioner Mayer indicated that we will do an acrylic cast of it and we can do a light plaster reproduction to hang in the City, and he knows someone who will do it for cost. The Chairman noted that they also removed the fountain, saved the Turquoise appliances and kept the surface tile in the bathroom. They also removed the insert from the fireplace and did a nice job.

Commissioner Mayer indicated that when we do the Nininger house, we should invite Jill Sands; we should have had other people at Jill's house to get some movement. The Chairman indicated that she thinks Mr. Eilenberg wants the City to do something more, but she explained that we can't give them a tax break. It might be good to talk with them and let them know how important it is to us; he has done this in other homes in California. Commissioner Mayer indicated it is an example of saving a home and doing it right. The Vice Mayor asked about the grant process and the Chairman indicated that she sent them the information, but they said given how much it cost to do this, the small amount we can offer is a drop in the bucket, but they indicated this is the right thing to do to save this property. The Vice Mayor mentioned another owner did a great job a little further up on Madole.

Kathy indicated that the Dr. Nininger home is tentatively scheduled for a public hearing on March 9<sup>th</sup>.

*No legal action was taken.*

**11. Discussion/possible action on (20 min.):**

**a. Prospects for designation of landmarks or historic districts**

Chairman Unger indicated that she, Commissioner Mayer and Kathy went to the Dr. Gamble home; it is an interesting home and does not lend itself to being moved, which was one of the questions. The stonework could not be moved and because of that and because it hasn't been landmarked, our best process would be to take pictures of it to recognize where it was, but she doesn't know that it is one we will put a lot of effort in to try to save. It might have some interest from the standpoint of Dr. Gamble, but she doesn't see that as being something that we need to go after. Commissioner Miller indicated that she and Linda Yee took pictures of that, so you might check your files.

Commissioner Mayer questioned if they expected the City to move the house and Kathy Levin explained that she received a call from the property owner's attorney asking if we were interested in the property and if it should be landmarked, and that they were thinking of demolishing it. Vice Chairman Ruland suggested dropping it from the agenda, and the chairman agreed that is the best way to do it.

*No legal action was taken.*

**b. Certificates of Appropriateness**

There was no discussion on this item.

**d. Condition of Landmarks or other historic properties**

Chairman Unger explained that we discussed an issue with KSB last time, and they had a grant from us. When they were changing the roof, it turned out that there were termites, so they went back in and tore the siding off and proceeded to put on plywood and verticals across the plywood, similar to what the look was, and then they painted it. Her son said that if you were to write the history about something, and then you changed the names of the people in that history, you would be changing that history, and architecturally, if you change the materials on that building, then are you changing the history on the building. The other side of that is used rough-sawn ply, basically

board and batten, and this contractor didn't want to mess with those and replace the rough-sawn timber, and so he figured the plywood would be the next best thing, but her issue is that she can tell exactly where the plywood begins and ends. Her husband indicated he sort of saw that, but it is all rough cut. The first issue is they should have told us they were not going to put the same thing back, and we can certainly state that before they substituted something else, they should have let us know. In terms of renovation, it states that when there is a lack of the same material, you can use something comparable, as long as it doesn't change the vision of the building. The question is that she sees it in a heartbeat, but a lot of people wouldn't recognize that.

Commissioner Mayer indicated that he looked at it and it is everything you say; if they replaced it with the original, it would be extremely expensive. He talked with Cole Greenberg and he said he wasn't aware that he had to replace it with the same thing, which is hard to believe, because he has been involved with building inspections and he thinks they abrogated our trust. They just double-sheeted it with plywood, put up batten and they were done. Most people, if they just walk up and you don't say anything, will never know, because they won't be looking up.

Vice Chairman Ruland asked if it passes the test of the owners recognizing it and Chairman Unger indicated it certainly passes that test; the issue is the integrity of the Certification. The Vice Chairman explained that his question is if we acknowledge that it looks as it should look, are we admonishing them for not coming to us first and what is the consequence of their decision to do this? Do we risk cultivating resentment and ill-will for the program, to the extent that we publicly take them to task, etc. Chairman Unger indicated we shouldn't make it public, but this guy talked to me at length and said he wanted to do historic jobs and we can easily go back and say this was not appropriately done. If he is willing to put himself out there and say that he is the guy for these jobs, she doesn't have any problem saying this was not appropriate. In terms of a Certificate of Appropriateness, you have to bring the materials to us first. In Key West, he would be slapped with a \$1,000 fine.

Kathy Levin read, Violations and Enforcement, "All work performed pursuant to a Certificate of Appropriateness under this article shall conform to requirements thereof. Compliance shall be confirmed by inspections and certain requirements such as signs, lighting, landscaping, and site development shall be reviewed for compliance. Any action regarding a violation of any provision of this article shall be brought to the City Attorney. Any person, firm, corporation or other entity found to be in violation of any provision of this article shall be guilty of a Class 1 Misdemeanor punishable in accordance with Article 14 of the Land Development Code."

***MOTION: Vice Chairman Ruland moved that we forward this over to Mike Goimarac.***

***MOTION DIED FOR LACK OF SECOND: (Staff continued speaking and no second was stated)***

Kathy continued to read, "Any person who causes unauthorized demolition, alteration, construction or permits degradation or disrepair of a designated property, as defined in this article, may be required to restore the property and site to its condition prior to the violation. The civil remedy shall be in addition to and not in lieu of any criminal prosecution of penalty."

Commissioner Miller asked if the Vice Chairman still holds that suggestion and he said yes, then it is out of our hands; we can recommend what we think should be done, but

if there has been a violation of the law, it seems our duty to do as the statute provides by referring it to Mike Goimarac with a recommendation saying these are our thoughts. Kathy Levin suggested giving the property owner an opportunity to remedy the situation by replacing what was put up, rather than going after legal remedies. Vice Chairman Ruland indicated that is the City Attorney's decision. Chairman Unger indicated if we don't enforce what we are doing, then it could be worse next time. It is a difficulty that she doesn't want us to be burdened with in the future.

Commissioner Mayer asked if we have paid and Kathy said no, they haven't submitted and the Commissioner indicated in that case, we should reject the submittal. Vice Chairman Ruland indicated if this was a good faith mistake, then he would be more sympathetic to saying you get do overs, but it doesn't surprise him that Commissioner Mayer felt the way he did and he shares that skepticism; he shouldn't get the benefit of the doubt. Chairman Unger indicated her son also said it is the City Attorney who does this, not the Commission. The Vice Chairman indicated he would restate his motion.

***MOTION: Vice Chairman Ruland moved to refer the matter to Mike Goimarac with our recommendation as to what actions he should take. Commissioner Mayer seconded the motion. VOTE: Motion carried four (4) for and zero (0) opposed.***

Chairman Unger asked what we should ask the City Attorney to do and Commissioner Mayer responded enforce the rules. Vice Chairman Ruland suggested that the recommendation be that we understand that the actions taken were understandable under the circumstances and that the result is not horrifying; however, we have this dilemma and we feel the ordinance should be enforced appropriately, and we are struggling with what the proper remedy may be and leave it to your best discretion, but we would like for you to vindicate the ordinance. Chairman Unger added that if he has any questions about where we stand, he can get back to us, because her concern is that we can lose our integrity, if we don't enforce it.

Kathy asked if we want to discuss the small grant that precipitated this work and the matching grant. We could go back to agenda item #5. The Chairman suggested that we just let the City Attorney know what is happening and what we have done, and ask if that is something that would be on the table; that might be a remedy. Commissioner Mayer indicated this is the second dispersal, so let the City Attorney know.

**c. Updates to Historic Resource Survey**

Chairman Unger referenced the update and survey of the home of Allen Cooper and Toby Williams on Wilson Road and indicated we need to go there; it is a home that we have thought of as being significant, but we have only thought of it as far as designating a district. They have asked us to look at it to see if it is appropriate for historic designation, so she and Commissioner Miller will take a look at that. The Commissioner added it would be a good nucleus to build a district upon. The Chairman also indicated that she will be sending a letter to all homeowners of landmarked properties talking about the fact that they need to be in touch with us if they are going to be making any changes to their property, as a reminder.

Commissioner Mayer indicated that Zona Steffen on Coffee Pot is interested in knowing if her house is a Madole home; it was built in 1964 and he will look at it on the 14<sup>th</sup>.

**12. Discussion/possible action regarding future meeting dates and future agenda items.**

The Chairman distributed an outline for our future meetings; asked the Commissioners to review it and get back to her next month; she would like to have one item monthly that we focus on. In February, she would like to talk about education and figure out which items we want to focus on. In March, we should be working on the survey, and in April, she would like to discuss form-based codes, because the City is really looking at this as a factor in future development, so let Kathy know if there needs to be any additions to these things. Kathy indicated that she and Mike Raber can do something on form-based codes, and it is perfect timing because we will have reviewed all of the RFPs for the Redevelopment and Land Development Code and about that time we will be going to Council with a recommendation.

**13. Adjournment.**

The Chairman called for adjournment at 6:00 p.m., without objection.

Respectfully Submitted,

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Donna A. S. Puckett, *Recording Secretary*