



City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

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Duluth Historic Preservation Commission
Minutes of April 26, 2011
Room 303 City Hall

I. Call to Order: Chair Carolyn Sundquist called the meeting to order at 2:00, Tuesday, April 26, 2011, in Room 303.

II. Roll Call:

Members Present: Ken Buehler (left at 3:10), Don Dass, Drew Digby, Wayne Gannaway, Carolyn Sundquist, and Dave Woodward

Members Absent: Tim Meyer

III. Public Meetings

A. Commission Operation and Legal Requirements – Alison Lutterman

Lutterman prepared a handout which explains some of the pertinent items for public meetings. This is a public meeting and meetings must be accessible to the disabled and the public have the right to attend public hearings and meetings. They need to provide for public comments at public hearings. The Chair may have it opened for discussion for public comments and then close it for commissioner comments. The commission must have availability for the public to see the information.

A notice for a special meeting must be given to the Clerk's office and posted at least 5 days before the meeting. If you have a request for materials, you must provide it. If you decide to hold a meeting other than the regular one, you need to have a posting for it and need to put what the purpose is for that meeting, where and when it is taking place. If the Commission decides to go on a tour of a property, it would need to be open to the public as well.

If for some reason you want a special meeting, you need to check with Lutterman first. Any scheduled meeting or committee of this commission constitutes a public meeting. Sub-committees of this Commission also falls under the public meeting law.

A meeting to discuss issues is subject to the open meeting law. They could not have a subcommittee at their house and they cannot have phone call meetings as the public cannot attend. If there are e-mails to the commission and they respond back only to Edna, this does not constitute a public meeting. It cannot have any substance in the email.

It is always good to have the open meetings scheduled regularly in the same place. Sundquist asked about a conflict of interest and Lutterman said that if you have a personal interest in the matter or your spouse, or your best friend, etc., this would be a conflict for you on a personal level and you should not involve yourself in this. You don't sit at the table when it is discussed and you do not discuss it with the person. If you have a personal conflict of interest you recuse yourself.

Sundquist stated that they are reviewing the to-do list from their annual report which was sent to SHPO. All historic properties need to be recorded in the Clerk's office and they would want to review the list of Historic properties. Lutterman stated that they should have a committee review it. Woodward said that it should not be a hindrance as they will just need to post it. They can have a committee meeting and then report back to the commission.

Sundquist asked about a decision going to the City Council having the City Attorney represent them. This would be very rare. Lutterman stated that the commission is not capable of suing or being sued. The City of Duluth would be a party to this.

B. Annual Report – Review and discuss current year objectives – No discussion at this meeting.

C. 2011 Certified Local Government Grants

We will hear from SHPO soon as to if our grant application was approved.

D. Hillside Apartment Project – Requesting consulting party status

Sundquist put this on the Agenda to request that we have consulting party status on this project because of concerns expressed by SHPO about how the project would affect Historic Properties. This means that they would be included on any meetings and correspondence about the project. Sundquist will write a letter regarding consulting status.

MOTION/Second: Sundquist/Woodward to **Request** Consulting Party status on the Hillside Apartment project. **VOTE:** Unanimous 6-0

E. St. Peters Church

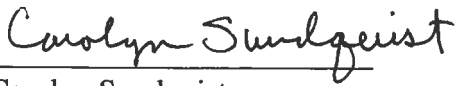
Sundquist reviewed the materials that were sent to the HPC and asked Gannaway if there were any other comments. Dass stated that we should send a letter to the Bishop stating that the HPC will pursue landmark status. There would be a public hearing as part of the process. Sundquist stated that we would probably need to find a volunteer to write the landmark status application.

MOTION/Second: Woodward/Gannaway to **Pursue** the St. Peters Church property for Landmark status. **VOTE:** Unanimous 5-0

IV. Consideration of Minutes – March 22, 2011. MOTION/Second Sundquist/Gannaway.

X. Adjournment. Sundquist/Gannaway to adjourn at 3:40.

Respectfully,



Carolyn Sundquist