

Heritage Preservation Commission  
November 28, 2017 Meeting Minutes  
Council Chambers – Duluth City Hall

I. Call to Order and Roll Call

Chair Michael Poupore called to order the meeting of the Heritage Preservation Commission (HPC) at 2:04 p.m. on Tuesday, November 28, 2017.

Attending: Ken Buehler (left early during item III. A), Stacey DeRoche, Terry Guggenbuehl, Mike Malone, Michael Poupore, and David Woodward

Absent: N/A

Staff Present: Ben VanTassel, Jenn Moses, Liz Bushaw and Cindy Stafford

II. New Business

- A. Leif Erickson Nomination - Liz Bushaw gives an overview. The stage was built in 1928 and meets the criteria for historic nomination. Staff recommends the HPC give their approval to the city council. David Woodward is in favor of the proposal, but thinks the application needs more depth. Moses, staff hopes to forward the nomination to the planning commission next month. SHPO needed more pictures of the current stage conditions. Woodward thinks the application should give a legal description. Per Moses, no legal description exists for the property. Woodward questions the ownership. Is it the state? Per Moses, the property along the lakewalk and the freeway belongs to the state. Chair Poupore suggests talking to Nancy Nelson who is a wealth of knowledge. Chair Poupore doesn't think there is enough information here to vote on it. Per Moses, they have researched it, but will accept new information if it is provided. Woodward will assist in the process. Moses asks that any additional information provided includes article titles and specific sources to include in the bibliography.

Timeline:        Planning Commission – December  
                      SHPO – Oct/Nov  
                      Public Hearing: December (January?) HPC

- B. Election of 2018 Officers – Moses gives an overview of the annual meeting process. Only the citizen representatives are eligible for president and vice president roles.

**MOTION/Second:** Woodward/Malone nominate Poupore as President

**VOTE: (6-0)**

**MOTION/Second:** Malone/Poupore nominate Woodward as Vice-President

**VOTE: (6-0)**

III. Old Business

Commissioner Buehler left during the next agenda item.

- A. Lake Superior and Mississippi Railroad (LSMRR) – Lynn Hall gives an overview of her landmark designation application. She introduces Brad Massengil, career railroad engineer/historian, and Vicki Surgis, expert historian. They will follow the HPC format and have reached out to SHPO for their input. There was a study made in 2016 which shows the LSMRR to be eligible for the national register. Because LSMRR does not own the land, they hope the HPC will support their separate application. Their updated application will include the EPA report in the body and they greatly expanded their

bibliography. Lake Superior Mississippi Railroad Company began in 1870. The current owner is the city of Duluth. They have many original artifacts including a switch plate and a rail stamped in the 1800s. The trestle crossing at Mud Lake was filled in and is now a causeway. When the railroad came, Duluth started growing. Massengil shares a slide of the population data which was 80 in 1860 and jumped to 3,131 in 1870 when the railroad was created. The population exploded to 33,115 in 1890. Their track is original and made Duluth what it is today. He shares a slide which shows a layout for three docks known for building ships in World War I. The steel was brought in on the railroads. He shares an old railroad schedule from 1870. From Fond du Lac to Duluth took just an hour. Surgis shares that Superior wanted the railroad instead of Duluth. In 1870 crews were madly working on the railroad and finished it four hours before the first train arrived - 11:30 at night. The train arrived from St. Paul, and the U.S. chief justice was there to welcome the first passengers. The corridor should be restored historically. Hall states the line meets four criteria as a historic landmark designation. Woodward is in support and feels the documentation is adequate. Jim Filby Williams addresses the commission. The city has gained a deeper appreciation for the railroad and recognizes the historic value. The city doesn't feel it's an appropriate time for designation and mentioned the mini master plan for the Western Waterfront Trail which is expected to go to the council in February. He thinks this designation is premature, but the city would support a nomination at the appropriate time. Woodward asks how the master plan effects the historic nature of the corridor. Filby Williams states the use of the land will be decided through the mini-master plan and should be the public vehicle used. The city council will make their own decision. Chair Poupore mentions a future Section 106 review. Filby Williams notes a Section 106 review is currently underway for the 1.6 mile railroad portion within the former US Steel site. An additional 106 process might happen for an extension of the Western Waterfront Trail, and if the Mud Lake causeway is changed. The city's goals are, first, to improve access to the riverfront to the maximum degree possible, especially since 83% of corridor residents want to complete the Western Waterfront Trail and this is an area with significant levels of poverty. The 2<sup>nd</sup> goal is to preserve cultural resources and the historic rail line experience as much as possible. The 3<sup>rd</sup> goal is to improve the health of St Louis River. They have put great effort into problem solving to keep the entire railroad intact but have found they can't fully accomplish all 3 goals. Keeping the rail significantly increases trail expenses, in some cases doubling those costs. Keeping the causeway harms the river health. The plan keeps the rail along  $\frac{3}{4}$  of the route despite the costs. In many cases decisions were made in favor of the railroad even though costs were higher, access was cut off, and environmental health was harmed. The only exception was at the Mud Lake causeway due to the high costs and significant environmental health. The residents voted trail over rail, 2 to 1. Woodward notes they are asking the HPC to make a judgement regarding economic and environment concerns, but this body's goal is to preserve historic resources and heritage. Commissioner Guggenbuehl notes there is an argument to wait until the city presents their master plan. There is an advantage to preserving  $\frac{3}{4}$  of the line if it fits into the city's vision. Commissioner DeRoche notes if they had that information it's not relevant to the HPC decision. Guggenbuehl is comfortable with waiting. Woodward notes the linear designation. There are four miles left of the 150-mile section. Woodward asks if they truncate it, will it still as valuable according to SHPO for the national register? DeRoche asks where is the Mud Lake section. Filby Williams explains it would shorten the route by 1 mile. The train will

operate as usual for 2018. Filby Williams thinks the HPC routinely bases its decisions on practical reason. He urges the HPC to modestly delay until the larger process proceeds. Mike Malone asks if they can bring it forward in March versus now. Filby Williams states yes. Chair Poupore thanks Filby Williams for his input. Chair Poupore understands the logic of both sides: now versus waiting. It is a long process. Woodward agrees in starting the process now. Historic resource is the first step. He suggests initiating it for public comment. The first process is getting input. Stopping it before it begins is premature. Moses gives an overview of the process. The HPC has the authority to move forward with a designation. If they move forward (flow chart from zoning code), the application goes to HPC for review. Then the proposal will get planning commission input, and then will go back to HPC for a public hearing. Then HPC can make a formal request to city council. Woodward asks about SHPO. Moses explains they submit it to SHPO after the first HPC meeting and SHPO gets 30 days to respond.

**MOTION/Second:** Woodward/Malone move forward with nomination process.

**VOTE: (4-1, Guggenbuehl Opposed)**

- B. Director Keith Hamre gives an overview on the Pastoret Terrace Building. Hamre and Heather Rand met with SHPO. There were no takers with the necessary financial resources. It's a small building and large renovations are needed. They are holding off until January 15 before they make a decision to make one last attempt to find a developer. If the decision is demolition, the HPC will be involved. Because it's on the national register, an EAW is needed. Then it comes back to the HPC to review demo permit. There are two formal times in which the HPC will be involved. They hope it doesn't go down that path. They continue to seek developer leads. They have talked to Charlene Roise and she's also tried contacting developers. He asks for input from the HPC to share ideas on possible developers. Chair Poupore asks if the city is willing to invest money for redevelopment. Director Hamre notes it is county money. Chair Poupore notes the building is now boarded up. Can they ask the county to put a new roof on it to make it more marketable? Director Hamre shares the demo estimate is approximately \$450,000. A roof was put on post-fire, but has started to deteriorate. They have asked developers what it would take. One comment was having the rest of the block to expand. Chair Poupore asks if they can issue a stay of execution for the building. Director Hamre at this point there is no demo slated for the property, so there is no need for a stay of execution at this point. Woodward asks if SPHO commented on the 106 process and notes it's adjacent to a historic district. Per Director Hamre, they did not discuss. Their first meeting involved outlining the process.
- C. Lincoln Park Pavilion – Preservation Plan – Moses asks the HPC for an update. No update, decision made to table until January.
- D. Enger Tower – Grant Application – Table until January.

#### IV. Communications and Other Business

- A. Planning Commission Update – Terry Guggenbuehl gives an overview. One item of interest a new marquee for a theater in west Duluth which was approved. He wanted to

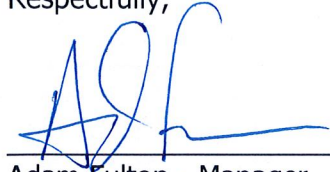
share with the HPC that it was nicely done. Next Tuesday there will be a tour of the Norshor and the HPC is invited.

- B. Imagine Duluth 2035 (Comprehensive Plan) – Moses says there are no new updates. The plan will include chapters from the five focus groups and a general development section. They plan to have new round of community meetings in early January.
- C. Consideration of Minutes – September 24, 2017  
**MOTION/Second:** Malone/Woodward approve September 24, 2017 minutes.

**VOTE: (5-0)**

- D. 2018 Meeting Schedule – Woodward useful to come up with agenda items. Maybe do this in their January meeting. Poupore would like the other members input and then can meet with staff to add certain items to their agenda.
  - E. Discuss Cancellation of December Meeting – canceled.
  - F. Topics for December/January Meeting
- V. Adjournment at 4:06 p.m. (Next Meeting Tuesday, January 23, 2018)

Respectfully,



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Adam Fulton - Manager  
Community Planning