

OCTOBER 2, 2012

**HISTORIC PRESERVATION COMMISSION  
City of Mishawaka, Indiana**

The Mishawaka Historic Preservation Commission meeting was held Tuesday, October 2, 2012 at 4:00, at City Hall, 600 East Third Street, Room 205. Commission members attending: Dick Barnette, Mike Bultinck, Dave Eisen and Cliff Zenor. Absent: Judy Gray, Marsha McClure, Tony Obringer, John Gleissner and Dave Vollrath. Todd Zieger with Indiana Landmarks, and Timothy Kluszczinski with Historic Preservation Commission of South Bend & St. Joseph County attended. Plan Staff attending: Peg Strantz.

**MINUTES:**

The September 4, 2012 meeting minutes were approved as circulated.

---

**NEW BUSINESS:**

***Notre Dame School of Architecture – American Cities & Towns***

Cliff Zenor noted that he attended a presentation “The Decline and Renaissance of South Bend” given by Notre Dame students of Professor Lucien Steil. Cliff stated he asked the Professor if he had chosen another city or would be interested in Mishawaka. Last week Mike Bultinck, Judy Grey and himself met with Professor Steil at Doc Peirces. After the lunch Cliff and Professor Steil took a walk downtown and looked at photos from the past. Afterward the Professor seemed to be excited about having Mishawaka as the case study portion of their program. This would take place next spring and our portion would start in February. He said the lectures are held in Bond Hall at Notre Dame.

*Cliff's Summary of meeting:*

**HOW:** *Through classroom lectures, design workshops and research at Notre Dame; through site visits and research in Mishawaka; through interviews and meetings with Mishawaka officials, business people and citizens; and through students' final presentation in May at a downtown location.*

**HOW MUCH:** *There will be no cost to the City of Mishawaka. Notre Dame will finance the public presentation and it will explore grants for the publication of a booklet of their research. The City may be requested to supply in-kind staff support and to provide a venue for the public presentation.*

**RELATED EVENTS:** *Notre Dame and Mishawaka HPC will coordinate a series of Public lectures about Mishawaka's history to precede the students' presentation. Topics, speakers and dates to be announced.*

**RELATED MEDIA COVERAGE:** *Notre Dame and the Mishawaka HPC will announce the project to the local media and will approach them about coverage throughout the semester.*

***WHAT THE MISHAWAKA HISTORIC PRESERVATION COMMISSION HOPES TO GAIN FROM THIS PROGRAM:*** *The challenge for many American cities is finding*

*compromise and common ground between the past and the future; between preservation and growth; between respecting history and moving toward the future. The Mishawaka HPC hopes to encourage an examination of our City's architectural and historical past while it explores the Historic Downtown's future. The HPC will strive to open new discussions about the past, present and future of the place we call home.*

Dave Eisen suggested that one of the presentations should be geared toward high school kids maybe at Mishawaka or Marion or both.

---

**OCTOBER GATHERING FOR PRESERVATION PEOPLE AT GREG KUCHARIC'S HOUSE**

The Commission discussed the upcoming gathering at the Kurharic residence. Approximately 30 people will be invited. The date is Thursday, October 25<sup>th</sup> at 7:00 pm. The Common Council, Mayor, Preservation Commission, past Award recipients and those with an interest in preservation will be invited. Invitations will be sent with an RSVP.

---

**AVON/STRAND THEATER POSSIBLE DEMOLITION IN SOUTH BEND**

Tim Kluszczinski, President of the Historic Preservation Commission of South Bend and St. Joseph County, said he has been serving since December, 2005, and recently began his third term. He said they are appointees from the County Commissioners and they are a partisan commission. The Commission started back in 1972 and each of the four legislative, administrative and executive branch government bodies appoint two commissioners each, one from each major political party, so there is the County Commissioners, County Council, the South Bend Mayor, and the South Bend Common Council. The Commission appoints their ninth member who serves as their architectural historian, also with voting power. He invited the Commission to attend any of their meetings over in the County City Building. He said he is all about collaboration and he and Cliff have bumped into each other at window workshops, presentations, etc. He noted that we all serve a greater municipality so to speak and the more we can collaborate and share notes about common goals, helps everyone to better understand preservation and balance the talking points. He said in something like the presentation for American Cities and Towns you can't overstate the media opportunity that it would present and if you are poised as the coordinating agency he would encourage to make the most of it as you possibly can. Little things like that help to get the word out about preservation and help to quell some of the myths that people have about saving old buildings and sustainable architecture in planning and history and its importance to local identities.

The theater building he said was never considered or declared a landmark even with its character, nor is he sure it made it onto the City survey. Of course, there are no threats until somebody talks about demolition. It's always a lousy fight or battle when it seems like the false choice being presented between either school corporations engaged in learning or libraries that are the repositories of the knowledge, both critical centers for the growth of a city. He said the Commission struggles trying to make sure that they can blend things together to help people understand that older buildings that have some potential for being adaptively reused, like your firehouse, should be considered or at the very least as much as that building as possible, before it goes smack dab into the landfill, which is a real loss for a community, history, architecture and the cause of historic preservation in general.

He said the Commission has been receiving, on their end, lots of public sentiment in favor of saving the Avon; for whatever reason that building seems special to lots and lots of people in South Bend. The library approved a plan for some capital improvements in 2007 and at that time because of economic issues they did not decide to move ahead on the entire bond issue proposal to be able to rebuild the library that occupies downtown, instead they decided to spread out and enhance some of the satellite branches throughout the county. And then as a tax payer and citizen of South Bend you see severe cutbacks for library staff and personnel to where the buildings house all the books and the media aren't necessarily open with enough time to satisfy the public and the need for what they were originally created for. There is always a money struggle between capital improvements and staffing and the trend of the library to become more automated. So the library acquired the building and back in June started to talk about demolition that would fit into their 2007 plan to rebuild the main branch on that side of the block and clear the site where the library now stands for parking. The Commission took steps recognizing that the building had architectural, historic merit to at least consider that it be declared a historic landmark. He said the Commission does not have the power to do, that kind of thing is sent to the Common Council or the County Council. Right now it is on the docket; the Commission entertained some public hearings and tried to make their presentation to the press which doesn't always come through correctly.

He said it would be a true loss for the community for that building to go to the wayside for a temporary parking lot that would occupy the site for the next 6-7 years. If a new grander library is to be built at all— because those kind of things change too. He said there have been several studies about the façade, the terra cotta, to find out what kind of shape it is in and what would need to be done to mitigate any damage. He said he will say at this public meeting that it was reported in the Tribune and library officials were certainly telling people that blocks and capstones were falling from the building and there was still caution tape around the front right before Art Beat happened. But he noted he did not believe that to be the case— it was one block that is in the possession of library officials and it didn't smash to smithereens after dropping more than two stories, so he thinks that one of the sounding experts who was doing an analysis pried it and carried it down and then all of a sudden there is all this hoopla about it. It was comical but the sounding analysis report to find out which blocks were loose did not show that that particular capstone was vulnerable at all. And no, like you might suspect in this field, just because we were asking for landmark designation does not mean that it has to be restored to period excellence with its own marquee and that movies are run in it. Adaptive reuse is all we are asking; it does have a slanted floor. He said after touring the building he found that it is in very, very good condition for its age and the kind of neglect that it's been through, and more or less structurally sound. Everything on the front with the terra cotta is cosmetic and that is where the cost is. His biggest problem, like anything else that we lose, would be helping people understand that if the library acquired the building for \$135,000 and they plan to spend about \$100,000 or more to put it in a landfill, that's a quarter of a million dollars spent without anything to show for it, except for a parking lot. He said he is hoping to try and do, and he is not sure if it will be successful or not, is to try and help the community understand that maybe that amount of money that is left over that would bury the building, could actually be applied toward shoring up the terra cotta on the front. Maybe surgical demolition of the rear of the building or something to make it a more attractive footprint for the community, lots of alternatives that could be considered. He said they are trying.

---

### **TODD ZEIGER'S NINE NUGGETS**

Todd Zeiger, Director of the Northern Regional office with Indiana Landmarks, a state wide not for profit organization, said he was asked to chat a bit about his experience working with historic preservation commissions around the area. He said one of the things they do out of their office is they actually serve as staff to other commissions that don't have staff. South Bend/ St Joseph County has full time staff just for their Commission. Landmarks serves as staff to LaPorte, Elkhart, Logansport, Angola, Nappanee, and at one time served as a consultant for the Mishawaka group.

By and large you have a survey here for Mishawaka and you know where the historic buildings are and so we can work with that and work with the community. He said it doesn't help for a commission not to be engaged with the public and that is why he was so excited when he heard Mishawaka was pursuing the Notre Dame thing because it puts you out in front.

Todd's Nine Nuggets:

- Just be at the meetings, participate and vote
- Be Prepared, drive by site and read paperwork in advance. Don't discuss the application details with the applicant.
- Serve and protect; acknowledge and engage the public. Tape record minutes so the meeting is there for the public record. Be mindful of the public if they are in attendance and respect them. You are there to protect the resource.
- Conflict of Interest. There may be certain conflicts but that does not mean you can't vote on an issue with an unbiased opinion.
- No secrets, everything is for the public record. Be mindful of side conversations that the public can't hear and remember to be mindful of that because it is a public meeting and all your conversations are for the public record.
- You are not the bank. Don't ask what it costs especially if you are working on a Certificate of Appropriateness (COA), it does not matter the cost. You are to look at its appropriateness with the guidelines.
- Avoid designing by committee, work things out prior to meeting. You can ask the applicant if they are willing to accept the change in the COA and the staff recommendations, but that can be awkward at the meeting. It is option easier if you have a COA to have these conversations before the public meeting with a designated commission or staff member with the property owner. You may always table the application if there are lots of questions and people have different ideas and you can ask the applicant to table.
- Keep personal language at home. Using the words pretty and nice, take you level of professionalism as a commission down many notches. Use instead, is it appropriate for the house, is it compatible with the guidelines and does it work with what is being suggested for the neighborhood.
- Don't be a party to ex parte communication. When you as a commission member engage an applicant your thoughts and opinions about the application or an outcome of the meeting. You can certainly ask them fact finding questions. Anything outside of fact

finding is ex parte communication and sets you up legally for a fall as commission member and put the commission in a bad situation. You are a public body just like a City Council member.

- Good relationships are what it's all about. The idea is to avoid train wrecks and especially with the media.

---

#### **FIREHOUSE #4 ON LWE/CAPITAL**

Cliff Zenor noted that Todd Zeiger mentioned that Indiana Landmarks could assist with the RFP process and the different paths that can be taken to sell the building.

**ADJOURNMENT: 5:30 PM**

---

Cliff Zenor, Chairman

---

Peg Strantz, Associate Planner