

Landmarks Commission - Meeting Minutes

City of New Berlin

July 10, 2003

7:00 p.m.

Please note: Minutes are unofficial until approved by the Landmarks Commission at the next regularly scheduled meeting.

Vice Chairman Williams called the meeting to order at 7:02 p.m., took roll call, and made the declaration of quorum and public notice for this meeting.

Attending: Commissioners DeMoss, Hermann, Herrick, Jashinsky, Mudek, Salzmann, Wicichowski, and Williams; Alderman Harenda, and Historian Milham.

Also Present: City Attorney Mark G. Blum; Matthew C. Wade, VP of Construction & Facility Management, ProHealth Care, Inc.; and Frieda Hart.

1. The only agenda item was the issue of whether or not to remove Landmark Status from the House and Summer Kitchen located at 3130 S. Sunny Slope Road ("Jungbluth House"), in response to response to ProHealth Care, Inc.'s demolition permit application dated April 25, 2003.

- Mr. Wade distributed a 3-page packet of recent interior and exterior photographs of the property.
- Commissioner Williams reviewed the chronology that has led to the current situation. He reminded everyone that per section 141-5C of the New Berlin Code, the Landmarks Commission "shall make its decision respecting demolition within 90 days of the filing of the application." ProHealth Care, Inc.'s application is dated April 25, 2003, so the Commission must make its decision by July 24, 2003; otherwise, the application shall be deemed approved. Tonight's special Landmarks Commission meeting is being held to avoid getting too close to the 90-day deadline.
- Several Commissioners asked Mr. Wade and Commissioner Salzmann (the prior owner of the property) about the current physical condition of several parts of the structures, as well as previous attempts to either move or donate the house and/or summer kitchen. There is an open dug well just east of the house requiring covering so that nobody could fall in it. Mr. Wade stated that was scheduled to be taken care of on Friday July 11, 2003. Also, the plywood porch floor is not permanently attached, and it's possible someone could fall through it and into the basement. Commissioner Salzmann said she offered to pay up to \$15,000 to relocate the structure(s).
- City Attorney Blum stated that the Commission should consider the following factors in its decision:
 - (a) The condition of the house.
 - (b) Attempts to save or move it.
 - (c) Historical significance of the property.
 - (d) The original factors that led to the decision to designate it a landmark in the first place.
- City Attorney Blum also expressed his opinion that the Landmarks Commission would be in the role of recommending action to the Common Council, and therefore, it would be beneficial to document the thought process the Commission used and the reasons behind its recommended action.
- City Attorney Blum also made two suggestions for the Commission to consider with respect to such situations in the future:

- (a) When considering future landmark status applications, the Commission may want to evaluate the physical condition and maintainability of the structure(s) both inside and outside prior to designating them landmarks.
 - (b) Since section 141-8 of the New Berlin Code requires maintenance of landmarks, the Commission may want to check on an annual basis whether or not owners of landmark properties are in compliance. This proactive approach may avoid similar situations.
- Commissioner Williams asked if the Commission would have to wait to see if the Common Council approves adding the proposed Informational Landmark Registration section to the New Berlin Code, so that the Jungbluth House could possibly be enrolled on a register in the City Clerk's office. City Attorney Blum said that it was not necessary – designated landmarks are already thusly registered.
 - Mr. Wade repeated the offer from his April 25, 2003 letter to the Commission – that ProHealth Care, Inc. would be willing to allow the Commission to designate certain architectural features (e.g., the tall, narrow Federal-style windows, each with an ornamental star at the top, etc.) within the structure that they deem appropriate for saving, and that National Regency of New Berlin, Inc. would pay the reasonable cost of an appropriate monument to be created and placed at the site. Such a monument might include an etched (in metal) photograph of the house in its prime (Mr. William Jungbluth, who still lives in New Berlin, has one), a narrative of the historical significance of the property, and the copper landmark designation plaque currently on the front of the house.
 - Commissioner DeMoss said that Mr. Jungbluth stated that the house was actually purchased by Mr. Jungbluth's ancestors from Ludwig Frank, and that the house actually consisted of the original southern portion and also the northern portion, which was moved there from across the road and then connected on. Commissioner Williams, who was also present for Mr. Jungbluth's remarks at the property the previous night, verified that Mr. Jungbluth had made those statements.
 - Commissioner DeMoss asked if a letter from New Berlin's Director of Parks and Recreation could be obtained documenting the Parks and Recreation Commission's denial of the possible use of the house as a pavilion for the park, which is to be developed north of the property.
 - Alderman Harenda made a motion to deny ProHealth Care, Inc.'s application for a demolition permit for the property, and Commissioner Mudek seconded it. During the discussion of this motion, Mr. Wade – on behalf of Pro Health Care – consented to a 60-day extension of the original 90-day deadline for the Commission to make its decision. This would give the Commission an additional 60 days – or until September 22, 2003 – to obtain additional information and make its decision. City Attorney Blum stated that, in addition to Mr. Wade's consent offer, a motion to table action on whether or not to approve ProHealth Care, Inc.'s application for a demolition permit was sufficient to accomplish consent to the 60-day deadline extension.
 - Alderman Harenda withdrew his original motion. A motion was then made by Alderman Harenda to table consideration of the applicant's permit, and seconded by Comm. Wicichowski. The motion passed by a vote of 7 for, 1 against (Commissioner Jashinsky), and 1 abstention (Commissioner Herrick).
 - Some of the items the Commission would still like to obtain to assist in its decision include:
 - (a) The original application and supporting documentation (e.g., photographs, narratives of the property's significance, etc.) to designate the property a landmark approximately 10 years ago.
 - (b) The letter requested by Commissioner DeMoss (and described above in this letter) from the Director of Parks and Recreation.
 - (c) Documentation of any other or new attempts to either donate or relocate the structure(s).
2. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,
Jackie Hermann, Secretary