



**AGENDA**  
**HUTCHINSON LANDMARKS COMMISSION**  
Thursday, January 11, 2018 – 4:00 pm  
City Council Conference Room  
125 East Avenue B, Hutchinson, Kansas

**1. ROLL CALL**

- Higgins (Vice Chair)       Bartlett (Chair)       Whetzel       Haag
- Wall       Dawson       Holmes

**2. WELCOME BY CHAIRPERSON**

**3. APPROVAL OF MINUTES** – Meeting of December 14, 2017

**4. WRITTEN REPORTS:**

**A. PROJECTS APPROVED ADMINISTRATIVELY**

Project #	Address	Description	Local Landmark	District and Contributing Status
ADM17-000024	527 East 1 <sup>st</sup> Avenue	Interior renovation and remodel and exterior brick repointing	No.	C.L. Burt Building/House Theatre, Downtown Core South Historic District (C)
ADM17-000025	723 East 1 <sup>st</sup> Avenue	Replace exterior tin with matching material	No.	Totten House, Houston Whiteside Historic District (C)

**B. PROJECTS APPROVED BY THE SHPO** – None

**C. PROJECTS APPROVED BY THE CITY COUNCIL** – None

**D. OTHER REPORTS** – None

**5. OLD BUSINESS**

- a. Collaboration with USD 308 (Haag)

**6. NEW BUSINESS**

- a. Election of officers for 2018
- b. Landmarks Commission training for the upcoming year (June and September)
- c. Nomination of Education Committee
- d. Award Nominations

**7. OTHER BUSINESS**

- a. Changes in the Historic Tax Credits
- b. Cost-Comparison Tool presentation at National Association of Preservation Commissioners Conference
- c. Open comments from the audience

**8. ADJOURNMENT**

The next Landmarks Commission is tentatively set for **4:00 pm, Thursday, February 8, 2018**, at City Hall.

Staff Contacts:	Jana McCarron	620-694-2681	Charlene Mosier	620-259-4133
	Amy Allison	620-694-2638	Jade Shain	620-259-4134
	Aaron Barlow	620-259-4198	Vacant	620-694-2667

Note: Persons needing special accommodations should contact Meryl Dye, Assistant City Manager, at 620-259-4118 or 7-1-1 TDD Kansas Relay at least 48 hours prior to the meeting.

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**MINUTES**

**HUTCHINSON LANDMARKS COMMISSION**

City of Hutchinson

Thursday, December 14, 2017 – 4:00 p.m.  
City Council Chambers  
125 E. Avenue B, Hutchinson, Kansas

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**1. Roll Call**

The meeting was called to order at 4:00 PM.

Members present: Shannon Whetzel (9/11), Gale Wall (8/11), Greg Holmes (8/11), Jo Higgins (8/11), Joel Haag (3/3), Chelsey Dawson (8/11) and Wes Bartlett (11/11).

Planning Staff present: Jana McCarron, Director of Planning and Development; Aaron Barlow, Associate Planner; and Jade D. Shain, Planning Technician.

Others present: Lucky Kidd, Ad Astra Per Aspera Broadcasting; and Jackie Roberts, a resident of the Houston Whiteside Historic District; Steve Dechant, City Councilmember.

**2. Welcome by Chairperson** – Bartlett welcomed all who were in attendance.

**3. Approval of Minutes from November 9, 2017.**

Holmes motioned to approve the minutes from November 9, 2017, seconded by Higgins, and passed unanimously.

**4. Projects Approved Administratively**

Barlow reviewed the single project that was approved administratively:

<b>Project #</b>	<b>Address</b>	<b>Description</b>	<b>Local Landmark</b>	<b>District and Contributing Status</b>
ADM17-000024	201 S Main St.	Interior renovation and remodel. Brick repointing at the exterior.	Yes.	Burt Building – Downtown Historic District

**5. Projects Approved by the SHPO**

There were no projects approved by the SHPO; however, McCarron stated the City would be doing state tax credit reviews in the future.

**6. Projects Approved by the City Council**

There were no projects approved by City Council.

## **7. Reports**

### **a. Report on the 2016 Historic Preservation Fund (HPF) Grant**

Barlow reported on the status of the 2016 Historic Preservation Fund. Katrina Ringer, Grants Manager at the Kansas State Historic Preservation Office (SHPO), received the reimbursement request from Barlow. The funds are expected to be reimbursed in a few months. Barlow said that the 2016 Historic Preservation Fund (HPF) Grant is officially closed.

## **8. New Business**

### **a. Resolution for 2018 Meeting Dates**

The Commissioners discussed the Resolution for 2018 Meeting Dates. Haag, Higgins, and Holmes said that the meeting on September 13, 2018 should be moved up to September 27, 2018 because of the State Fair. The other Commissioners agreed with this idea. Haag motioned to approve the Resolution for 2018 Meeting Dates with the amended change, seconded by Holmes, and passed unanimously.

### **b. Discussion – Certified Local Government Status**

Barlow began the discussion of Hutchinson's Certified Local Government (CLG) Status by discussing the background of the program, the benefits, responsibilities, and staff recommendations.

Since Hutchinson is currently a CLG, the City is allowed to review properties listed on the National and State Historic registers on behalf of the state. It was in 2013 when the last CLG renewal for Hutchinson occurred, and the upcoming renewal will happen in 2018. It is up to the Landmarks Commission to make a recommendation to the City Council whether to continue Hutchinson's Certified Local Government status.

There are three benefits for maintaining Hutchinson's CLG status: First, the City has access to funding sources from the SHPO through the Historic Preservation Fund and Historic Trust Fund grants. Second, there is technical assistance available from the SHPO for CLG Staff and Commissioners. Third, the CLG status allows for more local control because decisions are made at the local level by residents appointed by the City Council.

Maintaining Hutchinson's CLG status entails important responsibilities: The establishment of a qualified historic preservation commission, administer State Law Review on projects listed on the National and State historic registers, maintain a system for the survey and inventory of local historic resources, facilitate public participation in local preservation, and conform with all other terms set forth by the CLG agreement with the SHPO.

Barlow finished by providing recommendations from staff: First, that the Landmarks Commission establish a subcommittee to focus on educating and training property owners and the public on historic preservation issues. Second, to give careful consideration of the

City's renewal of the CLG agreement. If the Landmarks Commission sees a lack of support and leadership from the City Council where appealed decisions are consistently overturned, even after analysis of the economic impacts through the cost comparison tool, then it may be time to reconsider Hutchinson's CLG Status.

After discussion, the Commissioners agreed that a subcommittee would be a good idea to establish. They also agreed to review the CLG renewal carefully.

## **9. Old Business**

### **a. Potential Partnership with USD 308 on Historic Rehabilitation Projects**

Haag is still attempting to meet with Paterson. He said that he may just need to show up in person at a work site one of these days.

## **10. Other Business**

### **a. Open comments from the audience**

Steve Dechant, City Councilmember, said that it can be a challenge regulating historic properties. He suggested a change in the use of language when describing the historic districts. For example, congratulatory language such as thanking a property owner for investing in historic preservation, is recommended.

Jackie Roberts, a resident of the Houston Whiteside Historic District, was concerned about the house on Plum and Sherman that had a housefire. She wondered why nothing has been done to fix the home at this point in time. McCarron said that the City cannot force a property owner to make repairs. Roberts asked if the home is on a demolition list; McCarron said she did not know but would look into it. Roberts asked if it would be possible for people to salvage parts and features of historic homes that are on the demolition list. The Commissioners said this would not be possible due to safety and insurance reasons.

## **11. Adjournment** – The meeting was adjourned at 4:55 p.m.

Respectfully Submitted,

Jade D. Shain

Planning Technician

Approved this 11th day of January 2018.

Attest: \_\_\_\_\_

**Agreement between the Kansas State Historic Preservation Officer  
and City of Hutchinson, Kansas:  
Performance of project reviews under K.S.A. 75-2724, as amended**

Under subsection (e) of K.S.A. 75-2724, as amended, the State Historic Preservation Officer may enter into an agreement authorizing a city or county to make recommendations or to perform certain statutory responsibilities of the State Historic Preservation Officer if the State Historic Preservation Officer determines that the a city or county has enacted a comprehensive local historic preservation ordinance, established a local historic preservation board or commission, and is actively engaged in a local historic preservation program.

Whereas the City of Hutchinson, Kansas, hereinafter referred to as the “City,” has requested that the State Historic Preservation Officer enter into such an agreement, and whereas the State Historic Preservation Officer has determined that the City meets the requirements of K.S.A. 75-2724 (e), therefore the City and the State Historic Preservation Officer hereby agree to the following terms:

1. The City's historic preservation commission, known as the Hutchinson Landmarks Commission, hereafter referred to as “Commission,” shall perform all responsibilities of the State Historic Preservation Officer under K.S.A. 75-2724 (a), (b) and (c), as amended. For all projects within the City that are required by said statute to be sent to the State Historic Preservation Officer, the Commission shall review and make a determination. If a particular professional discipline such as archeology, architecture or history is not represented on the Commission, it shall seek professional advice from the State Historic Preservation Officer or locally as needed in that area when reviewing projects under K.S.A. 75-2724 (a). The State Historic Preservation Officer retains the responsibility to review projects affecting or directly involving historic properties owned by the state of Kansas.
2. The City shall develop a list of project types proposed for administrative review by the City's preservation planning staff to address minor projects that do not warrant full review by the Commission. The City shall submit the list, along with the name(s) of staff designated to perform the reviews, to the State Historic Preservation Officer for approval prior to its adoption. City staff shall not be granted the authority to make the determination that a proposed project will damage or destroy any historic property included on the National Register of Historic Places or the Register of Historic Kansas Places. When such a determination is likely to be made under an administrative review, that project shall be submitted to the Commission, which shall make the official determination.
3. The Commission and City staff shall utilize the Secretary of the Interior's Standards for the Treatment of Historic Properties and the Guidelines for Rehabilitating Historic Buildings and supplemental guidelines, as needed, as the basis for reviewing all projects. The State Historic Preservation Officer shall approve in advance all other supplemental guidelines utilized. **To ensure consistent use and understanding of these Standards and Guidelines, preservation planning staff and preservation commission members shall attend training that furthers their understanding of preservation-related topics and issues at least once annually. Training may be provided by staff of the State Historic Preservation Office from time to time.**
4. The Commission or City staff may request the technical assistance of the State Historic Preservation Office for complex projects. The State Historic Preservation Office shall respond with written comments to the Commission or City staff upon such request.
5. The Commission shall forward its findings and decisions to the State Historic Preservation Officer on a monthly basis or at the time of approval of the minutes of each meeting of the Commission, whichever is applicable. If the Commission determines that a proposed project will damage or destroy any historic property included in the National Register of Historic Places or the Register of

Historic Kansas Places, the Commission shall advise the State Historic Preservation Officer, in writing, of such finding through regularly submitted minutes.

- 6. Determinations by the Commission that a project will damage or destroy any historic property may proceed if appealed by the applicant to the City Council, for action as provided under subsection (a) of K.S.A. 75-2724. In those instances where the decision of the City Council is contrary to the findings of the Commission, the project shall not proceed until: (1) the City Council has made a determination that there is no feasible and prudent alternative to the proposal and that the project includes all possible planning to minimize harm to such historic property resulting from the project and (2) five days' notice of such determination has been given to the State Historic Preservation Officer as required by K.S.A. 75-2724 (a).
- 7. This agreement shall be in effect for five years from the date of execution by both parties and shall be renewable for an additional five-year term at the option of both parties.
- 8. Amendments to this agreement will be in effect upon their signed acceptance by the City and the State Historic Preservation Officer.
- 9. Either party may terminate this agreement for good cause upon ninety days written notice to the other party.
- 10. As provided in K.S.A. 75-2724 (e), the State Historic Preservation Officer shall retain final authority to implement the provisions of K.S.A. 75-2724 et seq., as amended. Nothing in this agreement shall be construed as limiting the authority of the State Historic Preservation Officer to investigate, comment, and make determinations otherwise permitted by K.S.A 75-2724.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized representative of the City of Hutchinson

\_\_\_\_\_  
Date

\_\_\_\_\_  
State Historic Preservation Officer

Bulletin #15 | January 2, 2017



## Technical Preservation Services News

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### Internal Revenue Code Changes in the 20% Historic Tax Credit

On December 22, 2017, [Public Law No: 115-97](#) (Pub. L. 115-97) was signed and enacted, amending the Internal Revenue Code to reduce tax rates and modify policies, credits, and deductions for individuals and businesses.

Pub. L. 115-97 (Sec. 13402) modifies the **20% Historic Rehabilitation Tax Credit** as well as provides certain transition rules. These and other changes to the Internal Revenue Code may affect a taxpayer's ability to use the 20% Historic Tax Credit. Pub. L. 115-97 also repeals the **10% Rehabilitation Tax Credit** for non-historic buildings. The text of Pub. L. 115-97 is available at [www.congress.gov](http://www.congress.gov).

Applicants requesting historic preservation certifications by the National Park Service as well as others interested in the use of these tax credits are strongly advised to consult an accountant, tax attorney, or other professional tax adviser, legal counsel, or the Internal Revenue Service regarding the changes to the Internal Revenue Code related to Pub. L. 115-97.

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Technical Preservation Services | National Park Service  
<https://www.nps.gov/tps/>

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