

**MINUTES  
HISTORIC COMMISSION  
January 20, 2022**

**TYPE:** Regular Meeting  
**PLACE:** City Council Chambers

**MEMBERS PRESENT:** Jeremy Loukinas                      Roger Daniel  
Levi Cramer    Andy Brickler  
Matt Dixon

**STAFF PRESENT:** James Metz, City Planner  
Devra, Assistant Development Services Director  
Ashely Combs, Development Services Director

**OTHERS PRESENT:** Adele Johnson, Applicant

Mr. Dixon called the meeting to order at 5:30 PM. Roll call was made; voting quorum was present.

**SWEARING IN WITNESSES**

Mr. Dixon called for a swearing-in of witnesses. Ashely Combs, Devra Wells, and Adele Johnson all swore in.

**APPOINTMENT OF CHAIRMAN AND ACTING CHAIRMAN**

Mr. Dixon called for the appointment of Chairman and Acting Chairman. Mr. Daniel nominated Mr. Dixon as Chairman and Mr. Loukinas as an alternate. Mr. Cramer seconded the nomination. Chairman and Acting Chairman were approved through a roll.

**PREVIOUS MEETING MINUTES**

Mr. Dixon asked the members if they had reviewed the meeting minutes. Having heard no changes, corrections, or additions, Mr. Dixon asked if there was anyone who would like to approve of the minutes for the December 16, 2021 meeting. Mr. Cramer made a motion to approve the minutes, Mr. Loukinas seconded. All minutes were approved through roll.

**1004 FIRST AVENUE – HANDRAIL  
CERTIFICATE OF APPROPRIATENESS**

Mr. Dixon requested a staff report. Ashely Combs presented.

Ms. Combs then moved forward with the reading of the property history: The house is located in the South Main Historic District and is Georgian Revival brick was constructed before 1860. The South brick face was erected after the 1913 flood. At the time of the 1975 field survey, the building was used as a doctor's office and residence. It is estimated that these uses went back as far as 1885. The property has been vacant for several years. The proposal of the work is the installation of a handrail. The applicant is bringing the application before us as it is a change in the outside appearance which sparks a COA but they also want to bring their property up to code based on the Ohio Building Code. The proposed handrail is black metal as you can see the

bottom picture shows the current building with no handrail and the next photo shows what they are proposing which is black metal. In your packet, you will see photos that show where the handrail is proposed and we do have the applicant here with us tonight.

Mr. Cramer moved to open the public forum, Mr. Loukinas seconded. Roll was called and passed unanimously.

Ms. Johnson introduced herself as a historic preservation consultant for the owner. Ms. Johnson stated she would like to bring the building up to code in the simplest and least intrusive manner. Ms. Johnson asked if the homeowner would like to replace both wooden handrails on the porch if she would need to come back in front of the historic planning commission if it is rebuilt "as is". She was told it would not be necessary if it was rebuilt "as is" by several members. Ms. Johnson then asked if there was a deviation from the current style of handrail would she need to come back in front of the historic commission and it was confirmed that she would. Ms. Johnson confirmed that the handrail proposed would be on the right side of the steps and set off of the brick. Mr. Dixon asked if anyone else has any questions for Ms. Johnson.

Mr. Dixon asked the public if there was anyone from the public that would comment in favor of the application or against the application. Seeing no responses Mr. Cramer moved to close the public forum on this decision, Mr. Loukinas seconded. Roll was unanimous in favor. Public comment was closed. Mr. Dixon asked if we have a motion. Mr. Cramer moved to approve, Mr. Loukinas seconded his approval. Roll was called and the addition of the handrail at 1004 First Avenue was passed unanimously.

### **1126 CENTRAL AVENUE - WALL SIGN** **CERTIFICATE OF APPROPRIATENESS**

Mr. Dixon asked if we had a staff report. Ashley Combs presented.

Ashley stated this is a certificate of appropriateness for wall signage. Ms. Combs then moved forward with the reading of the property history: The property is located in the downtown Central Ave Historic District and was known as the Castell building or the Sebald building. The building is a large 4 story two-part commercial block Neo-Classical Revival style built in 1914 by the Sebald brewing company. Ms. Combs states the images show the location of the wall signage in two locations, one facing the parking lot and the other facing Central Ave. The proposal of work includes the installation of façade signs. The front sign "Hector's Taco shop" Logo lettering 30" H x 60" W and the "Mexican Food" lettering approximately 19" H x 70" W. The side façade facing towards the parking lot is the same thing. "Hector's Taco Shop" 67" W x 25" H and the oval logo would be 60" W x 47" H. Ms. Combs states there were graphics submitted and indicates that the graphics show what the signs would look like. Ms. Combs states that this is an exterior alteration to a building that is Historically Designated which is why the Historic Commission is seeing this certificate of appropriateness application. She also states that no permits would be issued without the Historic Commission's approval and the only permit needed is the zoning permit. Ms. Combs concludes her staff report for the property and states the applicant is not present this evening.

Mr. Dixon asks to open the public forum. Mr. Dixon asked the public if there was anyone from the public that would comment in favor of the application or against the application. Seeing no responses Mr. Cramer moved to close the public forum on this decision, Mr. Loukinas seconded. Roll was unanimous in favor.

Mr. Dixon asked if any of the Historic Commission members have questions for the staff. Mr. Loukinas asks if they are approving the top and lower level signage. Ms. Wells states that after speaking with Law that the Board would not look at window signage. Ms. Combs states that the images do show what the window signages would look like but the Commission is only looking at the wall signage above the windows.

Mr. Brickler motions to approve the application as presented, Mr. Loukinas seconds. Roll was called and the installation of the signage at 1126 Central Avenue was passed with Mr. Cramer abstaining.

Mr. Dixon confirms that the Law department has stated that window signage does not need their approval. Ms. Combs states that is the understanding from the legal department as the window signage is temporary in nature. Mr. Dixon states that this is not how it has been for the last 10 years or decade or so. Mr. Cramer asks if the Historic Commission can get a formal opinion on it or a writing on it. Ms. Combs states that we can do that.

Mr. Dixon asks if there are any additional certificates on the agenda. Ms. Combs confirms that there were only the two COAs.

#### NEW/OLD BUSINESS

Mr. Dixon stated he has asked for the local historic designation process be put onto the agenda. Ms. Combs states that is item number 1. Mr. Dixon states that we are now a Certified Local Government and one of our obligations is to designate new properties for preservation and potentially be placed on the National Registry. Mr. Dixon continues saying under the old historic preservation plan there were a list of properties that are currently not in historic districts that deserve special recognition or otherwise are not currently designated. Mr. Dixon states this has yet to happen since we became a Certified Local Government. Mr. Dixon suggests that the commission starts the designation process and states that the fire station on Crawford St is a good one to start with as it's in a somewhat vulnerable location. Mr. Dixon asks the rest of the commission if there are any other properties that they had in mind and referenced the Historic Preservation Plan and that there is a new one being designed. Mr. Daniel mentions the Tytus House. Mr. Dixon suggests that they should start with the ones identified in the Historic Preservation Plan. Ms. Combs states that if they board would like to create a list of properties that she can make write them down for the board to revisit at the next meeting and so we'll have it when we update the Historic Preservation Plan. Mr. Dixon lists the big ford epo, the Central Ave Historic District, Danny's Ford Tire Dealership building, The Manchester Hotel, Hughes Manor, Main Street Historic Commercial District, South Main Historic District, and the Tytus House. Mr. Dixon states Hughes Manor is 5894 Lebanon Hamilton Road. A commission member states that the Highlands is not on the National Register even though a lot of people believe it is and that is something to consider moving forward.

Mr. Dixon states the preservation command was recommending the expansion of the South Main Historic District to include some of the properties off of Yankee Road and also to include St. Pauls and suggested the remaining portions of the Vanderveer district be designated.

Mr. Dixon reads off the list of properties from the Historic Preservation Plan and states that he doesn't know if these buildings are still in existence and what condition they are in. Ms. Combs states that staff can take pictures of the properties just listed and send the pictures to the commission so they are not waiting for the next meeting.

Mr. Dixon restates that he is in favor of designating the Fire House. Mr. Loukinas makes a motion to have City Staff look at nominating Fire Station #2 on Crawford Street as a historic property, Mr. Cramer seconds. Roll was called and passed unanimously.

Mr. Dixon asks if anyone else has any new business. Ms. Combs says staff has a couple of updates if there are not any other updates from the commission. She continues to state that the Oakland National Register nomination district that staff is currently working on. Staff has met with JMT and they did their field study the week of November 13<sup>th</sup> and that several weeks ago they completed the preliminary boundaries and they were going to send them to Barbara Powers with SHPO to get the ball rolling on narrowing the boundaries. Ms. Combs states that she is going to send the full document which includes several other maps tomorrow.

Ms. Combs states that the City has an RFP currently out that is called the Oakland A.T. H.O.M.E infill housing program which was coined by the city manager. There are 10 city-owned sites that are being run as a test and they are all buildable lots. The bid is open to Feb 4<sup>th</sup> and they are trying to get local home builders. The City will fill a gap and the point is that there will be new homes that will come before the commission and hopefully we will get homes that are satisfactory to the commission. It was explained during the RFP that the builders need to have the homes fit into the character of the neighborhood. The Commission will receive the home plans before they are presented so they will have time before the meeting. Ms. Combs states that the City is excited and hopes that this program is successful. Ms. Combs states the properties are 40-50ft wide by 100-120ft long and that the builders would need to meet Planning's standards and the historic commission's standards as well.

Mr. Daniel asks if there are any enforcement actions. Ms. Wells stated 18 months to 2 years ago that city staff had taken the idea to the City Manager's office to rework the way code enforcement operates within the City. The way it was done for the last decade was that a single inspector for commercial, two inspectors for all residential, and one inspector for nuisance violations such as tall grass and trash. As of January 1<sup>st</sup>, the city has been split into 5 areas that are not geographic but based on caseload. This new plan is focused on proactive enforcement rather than reactive and it gives the inspectors the ability to build relationships in their respective areas. The historic neighborhoods would be split up among the inspectors instead of having one inspector enforce all of the neighborhoods. Ms. Wells states that the inspectors are aware of the historic district boundaries and know to check in to see if the proper permission was granted. All notices within the historic or conservation districts will have a portion that says please reach out to make sure your project doesn't need historic commission approval before you start.

Ms. Combs states that city staff will soon be sending letters to every home in the historic districts informing that they are in a historic district and provides a list of items that would need a COA. This is to also help the inspectors. This was done a few years ago and it was believed to be helpful. She also states the Mayor has been good about promoting the citizen portal and that has been really helpful. Jim Palenick does weekly updates but we should also blast it on social media as well.

Ms. Wells says any notice that is sent out from the City of Middletown includes a block that has a name, title, email address, and the phone number of the inspector who completed the inspection and generated the letter. There is also a full-time administrative assistant who takes all of the incoming calls for code enforcement who also logs all complaints and can forward calls to a specific inspector. Code enforcement has been relocated back from the police department back to development services where it used to be community revitalization before. We have a new

department, a new approach, and a new code enforcement crew. Ms. Wells states that she is incredibly pleased with the code enforcement crew that we have. They are intelligent, rational, hardworking, dedicated people who are going to work their hardest to make an impact in the neighborhoods they are working in.

Mr. Brickler asks how do we ensure that a violation is closed out on either end. Ms. Wells states that we are working on a back log of old violations and that we are limited on what we can or can not do. We have funding for nuisance abatement where we can clean up trash and mow grass but property maintenance violations the city doesn't have the funding necessary. As an example, if your gutter is off we are limited in what we can do. We can issue civil penalties and we can pursue criminal action in court. We do not have the ability to abate violations.

Mr. Brickler agrees this is the right path forward but he has received several questions from the public what's the status of several properties.

Ms. Combs states that we have the portal link that she will share and that the commission should share it. It will help hold staff accountable.

Ms. Wells has stated that there has been issues with having cases being served. When she previously worked in code enforcement that she had to close out 25-30 cases because she could not get them served. That is a breakdown in the process where the leg work is done in the field but there is not a way to serve or have the homeowner appear in court. Inspectors are serving homeowners as much in the field as possible as it's more effective than having to attempt to serve a homeowner after multiple violation warnings.

Mr. Dixon asked what does a more proactive enforcement looks like.

Ms. Wells answers that it is a pilot program and is hoping to see a single inspector be familiar with their area and know the problem properties. It will allow the inspector be able to focus on the properties and more day-to-day violations that are not being called in and more focused on neighborhood sweeps. There are approximately 35 neighborhoods in Middletown. The inspector has a specific neighborhood to inspect home to home and it's a more boots-on-the-ground approach that we need. She believes that it will be a bit of a shock for neighborhoods that haven't had this level of inspection. It was a group effort between zoning and code enforcement that developed over years.

Ms. Combs states that it's a more consolidated approach to having one inspector write a violation letter for several violations rather than having several inspectors each write a letter for each violation on the property. Ms. Wells agrees and states the whole point is to have one inspector that is a more rounded approach rather than having a narrower approach based on violations rather than the property as a whole.

Mr. Cramer states he appreciates the expertise, thoroughness, and experience.

Mr. Dixon asks how can we take this to the Historic Districts and how do we be proactive for the home owners in the historic districts. How do we be more proactive and let people know what the Historic Commission needs and the challenges we face. We have a lot of younger and newer people coming into these districts that want to change and hear different things but he doesn't want anyone to comment on it tonight. Just to give it a thought.

Mr. Loukinas states that he showed Annette how to search for new properties bought in historic districts through the Butler County page and that we should send them a letter. Ms. Combs agrees that it is an effective way and important to continue.

Mr. Daniel asks if the City is pushing to acquire vacant properties. Ms. Combs states that the City is especially in the Oakland district with the A.T.H.O.M.E program in mind. Ms. Wells states that the city is also working with developers on rehabbing homes and that it's not just vacant land.

### ADJOURNMENT

Mr. Cramer moved to adjourn, seconded by Mr. Brickler. Motion approved through a unanimous vote of ayes, at 6:18 PM.

  
Matt Dixon  
Chairperson

  
James Metz  
City Planner

\*Full recording of the meeting available in the Planning/Zoning Department.