

**MINUTES** of a Special Meeting of the Village Board of Trustees held Friday, January 6, 2021 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

**PRESENT:** Mayor L. MacKerchar; Trustees C. Benedict; D. Condella; T Hoban; K. McLoud; R. Spencer; R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Deputy Clerk/Treasurer H. Easling; CEO J. Kincaid

**ABSENT:** Director of Public Works T. Schwartz; Deputy Director of Public Works M. Gerhardt; Police Chief T. Dunham; Fire Chief F. Ellis

**News Media present:** None

**PUBLIC:** Chris Iversen, Shane Stone, Jim Crevelling (Habitat for Humanity); Historic Commission members – Shirley Owens, Melissa Parsons, Marcia Kneeland

Mayor MacKerchar called the Special Village Board meeting to order at 6:01 PM

**Mayor** – Thank you the reason for a meeting tonight. I call the meeting to order and the reason for a meeting is a Public Hearing regarding an appeal by Iversen Ventures, Ltd. for the denial decision from the Historic Preservation Commission plan regarding demolishing 120 Wagener Street. Motion to open the public Hearing.

**Trustee McLoud-** I'll make a Motion

**Trustee Condella-** second

**Mayor** – Motion Mr. McLoud, second Mr. Condella

Roll call

Mr. Spencer - yes, Mrs. Benedict - yes, Mr. Condella – yes , Mr. McLoud - yes, **Mr. Stewart** – yes, Dr. Hoban – yes. Approved

**Mayor** – haring is no open. We have before us an appeal to the Historic Preservation Commission December 8, 2020 rejection their application for demolition of 120 Wagener Street. Mr. Iversen yes you are here. Very good application you all have had a chance to review it. Is there anyone here that wishes to speak one way or another regarding the appeal. Don't be shy.

**Atty. Brockman** – One procedural option is to be allow the applicant to make his presentation to the Board of Trustee . I know the Board. This is Ed Brockman speaking by the way.

**Mayor** – Yes Mr. Brockman

**Atty.** – I know the Trustees have received copies of the appeal document in addition, we have a report from Code Enforcement Office. Kincaid. After an inspection of the building and if Mr. Iversen wishes to make a presentation, then we can also open it up to anyone that wants to respond to that.

**Mayor** – Well let's start out

**Atty.** – that's an option not mandatory

**Mayor** – Thanks you Mr. Brockman and Chris would you care to address the Board.

**Chris Iversen-** Thank you for allowing me the time to speak and thank you for your time this evening. I believe we made a fairly clear case for why we are asking for demolishing in our appeal letter. I think Mr. Kincaid inspection supports our position that the building was pretty well deteriorating before we vacate the property a couple years ago. Foundations were bad shape and need significant work. The roof was water tight at the time two years ago but needed to be replaced that expense was an expense of a new furnace, new water heater, substantial interior and exterior for repairs made. The feasibility of an investment and get an investment return is unlikely. So, we have had the building vacant for two years in anticipation of the project we are planning to request Board approval of.

**Mayor** – Than you in review of the minutes of the Historic Preservation Commission meeting they. I believe they read us the detail of the property. They say it is an extremely simple structure of a vernacular cottage with Italianate detail on your proposal project then there is on that structure. That point Italianate house- now. Anyone there now- other thoughts. Anybody else care to speak while we have the hearing open.

**Trustee Benedict-** I have a question Mr. Brockman you said that all of the Board members received information regarding the appeal are you referring to the e-mail we received today at 2:30 this afternoon. No, it's my understanding everyone received a copy of Mr. Iversen's appeal documents which were dated shortly after the decision was made by the December 10<sup>th</sup> that's correct.

**Mayor** – The information was resent this afternoon I was copying it and Mary Ann resent it. I think it's all stuff that you previously received.

**Trustee Benedict-** Okay

**Atty.** – they should have received . I know we also sent to Lynn Duryea for distribution to the HPC (Historic Preservation Commission) a copy of Mr. Kincaid memorandum dated December 30<sup>th</sup> where he had reports on his inspection of property.

**Mr. Iversen** – Mr. Mayor if I could make one more additional comment. No disrespect to Historical Commission, they of course their charter was what their charter was to preserve Historic Buildings. We have no disagreement with that and we are before the Village Board tonight as matter of procedure that your Board has the authorization to over ride the decision by the Historic Commission. As I say I have no argument with the Historic Commission charter no their interpretation the charter, but we're here tonight because of the Village Board not has authority to say what is best for the community.

**Mayor** – Yes that's correct

**Atty.** – Another aspect- this is Ed Brockman again. The aspect of the Board of Trustee determination of this should be an examination of the decision made a HPC indicates the application for demolishing denial because they have made a decision on finding the structure is a viable historical structure with restoration potential and the Trustee probably should consider Mr. Kincaid’s memorandum and inconstant thereof in a decision of weather or not to actual it’s a viable historic structure with restoration potential.

**Mayor** – Thank you Mr. Brockman

**Trustee McLoud** – Leigh I have a couple questions

**Mayor** – Yes Kevin

**Trustee McLoud** -These are for Mr. Iversen. I was wondering could you speak to some the ball park some of the numbers. I was wondering basically what’s the value of the property now. To do a restoration of what that cost fee and what the restoration value of the property at that point.

Mr. Iversen- I don’t have those numbers off the top of my head - Sorry

**Trustee McLoud** – Okay

**Trustee Spencer**- Kevin – What he did point out in his asked for a review here. Was that the current assess value for that property and what the excess value be after the units are built. Which is a substantial increase for the tax rolls for the Village.

**Trustee McLoud** – I saw that- I was curious as to if we didn’t go that route. Obviously if the value is here it’s going to cost normal historic. The value at the end of the day that could be another factor.

Atty. Ed Brockman again

**Mr. Iversen** – Mr. Kincaid states as it is presently needing substantial work from the ground on up the foundation are in shape. Have to start there to get the building to get stabilized from there framing the roof would have to be replaced. It’s really a full restoration if you’re going to go that route.

**Mayor** – Thanks Chris Mr. Brockman do you have another comment.

**Atty.-** If you look at the memorandum, I’m not taking sides here. I love historic structures but it appears from Mr. Kincaid’s report here you would actually be required to dismantle the house structure, replace the foundation. It appears there was no foundation what so ever on the back end it was just wood land on the ground and built up from there. Take that down also to put a foundation in then use what ever structural methods were viable to reconstruct the building.

**Mayor** – Thank you

**Trustee Spencer** – Mayor your calling for comments are you wanting Trustees to comment now or after we make a motion and then have a discussion.

**Mayor** – Certainly anyone is welcome it’s a Public Hearing so were looking for comments from everybody.

**Mayor** – You guys represent the Public So

**Trustee Condella** – I have a question for Mr. Iversen How soon are you looking -all three structures up your new buildings

**Mr. Iversen** – the plans for three for three separate buildings the first is a right unit building that we would build in the first phase. The second building would be six unit and the last this one would be in the location of this house would have two units. We would build the eight to start and as soon as we saw sale activity on those eight, we would start on the six and per zoning the two on Wagener Street would be the last we would build. Hoping that the market would accept and aboration of those units would be a 3–5-year range.

**Trustee Condella** – Because this is a DRI project right

**Mr. Iversen** – correct

**Trustee Condella**- they do have to be in I think 5 years I believe of the DRI when that started the project.

**Mr. Iversen** – I would have to look those records I  
‘m not sure

**Trustee Condella** – Right -okay

**Trustee Spencer** – It’s a DRI project correct Chris.

**Mr. Iversen** – could you repeat that

**Mayor** – Ray was asking about the DRI project approved DRI project

**Mr. Iversen** – yes

**Trustee Spencer** – my perspective is I agree with the point that Chris made. I understand the historic committee charge responsibility is trying to preserve the property in the Village but the Village Board and out Trustees have a much broader responsibility on making these decision for the Village. So, for me simple do we want to preserve this structure that really isn’t and much needed and multi- million-dollar housing development in our Village.

**Mayor** – Thanks

**Trustee Benedict** – Mr. Iversen is it would it be financially detrimental if you did not build those two Units to your project.

**Mr. Iversen** – We had originally had 18 units in our project and we now have had to cut that back to 16 and cutting another two would really make the very marginally in terms of the overall project.

**Mr. Iversen** – yes

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**Trustee Benedict** – and would you and if we approve this would you do the demolishing in short **order**.

**Mr. Iversen** – in light of Mr. Kincaid’s report I believe we are required to take action on pretty quickly  
**Trustee Benedict** – my only thought is if you built the eight Units and found that the economy with in the community did support it. The sale of those units I would think you would rethink your plan and may not

forward with the six units or even the two with you. If you got construction Unit that aren't selling or being occupied so I would from my perspective. I hate to see us lose a structure that would end up being a vacant lot or part of the parking lot that you have planned.

**Mr. Iversen** – My vision would be that building would come down before the first sale took place. I couldn't image keeping that building on the property while were trying to up scale houses Units on the same lot. So, if it was not built on it would be come lawn.

**Atty.** – Ed Brockman again- I'm having to sit through the site plan review with the Planning Board leaving that structure there would that cause an issue with regards to ingress and egress for the rest of your property project on to Wagener or on to Water Street.

**Mr. Iversen** – the site Plan its self allows for the driveway on to Wagener Street to be in accordance plan without any changes to that house.

**Atty.** – so you could the Exit out on to Wagener Street even with the house these.

**Mr. Iversen** – yes

**Atty.** – Okay

**Mr. Iversen** – but the site as though of you that have seen the site plan and may have understood the site plan is tight during construction. We would be of course having construction trailer and equipment and what have you and then having that building removed immediately would our purposes more efficient and cleaner construction site.

**Atty.** – I beg the question is what happens with the structure on Wagener Street that is now the house in the long term if the demolishing is not approved.

**Jim Crevelling** – this is Jim Crevelling speaking and

**Mayor** – yes Jim

**Mr. Crevelling** – I'm involved with Yates County Habitat for Humanity that's why I am listening tonight. Habitat has done some work within the Historic District before. Some of you folks remember the work we did upon North Ave. and the reason I'm listening in tonight is that in the event that you folks feel that taking the building down is in appropriate it would be and it's a big could d be that Habitat for Humanity might be interested in acquiring the house and rehab it for a family, but understand is what Mr. Iversen wants to do and appreciating that but also the community needs low-income housing to. I'm on the family selection committee for Habitat for Humanity and I can't begin to tell you the need for low-income housing in this community. I don't want to beep that drum, but it's definitely why we have a lot of work to do. I do have a question thou- Does the building have aspect shingles. Mr. Kincaid you're probably the one to best to answer, if so if they have to be removed as part of the construction, I don't think that's something Habitat can do. If we could and it's a BIG if it came to Habitat to have a chance to work on the house. It looks like the siding is in pretty good shape of what I could see, but I'll leave it at that. That's who I'm listing in and I appreciate your time.

**Mayor** – Thank you Jim We got some more people coming on here.

**Melissa Parsons-** I'm Melissa Parson

**Mayor** – Yes Melissa

**Melissa-** I'm one of the Commissioners for the Historic Preservation Commission. I had voted nay to the demolishing. Just the fact precedent of the rest of the homeowners on Wagener Street should there building need work they decide to they want to change in the future also. This house and seen Mr. Kincaid report which we did not have at our meeting. I do see how much work it does need, but how much wasn't invested before two years ago when it was decided with this new project with Mr. Iversen.

**Mayor** – Thank you Melissa

**Mr. Iversen** – We did invest money to keep the in place at the I don't recall the number

**Mayor** – Thanks you

**Melissa-** Thank you it just seems like a lot has happened to this house in 2 years.

**Mr. Iversen** – Well in fact most of the deficiencies that Mr. Kincaid report is highlighting were in fact we were looking at the time when we decided it was no longer feasible to aoorove it.

**Melissa-** Thank you

**Atty.** – Mr. Kincaid could you comment on based on your extensive experience as code Enforcement Office as to the length of time as these conditions may been have been developing over the years.

**Jamie-** That would frame on the back of the house for the actual foundation was. Is half gone rotten has been going for years. Honestly up in the roof line where you see that dipping and you see the broken rafters that's not new. That's been there for quite awhile a leaky roof has been there quite a while the porch. I didn't even bring up a lot of the stuff of the structure because there was no need to go any further.

**Mayor** – Thank you Jamie

**Atty.** – What about the front foundation on the front part of the structure.

**Jamie-** It's concrete and stone it's the old mortar and stone but it's every corner except for one has cracked away from the house. That's a major fix.

**Atty.** – has that been something that has develop recently to your knowledge.

**Jamie-** No in my experience but I'm not saying it's impossible but that probably was like that when Chris bought it.

**Mayor** – Thanks you Well we have talked about it. Any other comments, questions. I know we have a few other people on that haven't said anything.

**Marica-** how do I do this

**Mayor** – you're doing it – there you go

**Marica-** Oh okay – I'm also on the Historic Preservation Commission and voted in favor of keeping it, because it has been deemed historic and because it was occupied. I know I assumed it was okay. It was habitable. So, these things have come up. My concern is were going to lose this for ever and ever and once down that's it. And I do wish there was some way it could be saved. No this is if there is no possible way that this building that can be saved and I still feel like were – were not being supported on this. I would like it to be pictures taken inside and out dimension taken like a blue print of it. So, it could go into the file so at least it wouldn't be lost completely.

**Mayor** – Okay

**Atty.** – this is Ed Brockman again -if I could comment to the Board certainly have condition on any decision that makes and something the young lady purposes could be made condition on – of the decision of the board. If the board votes in favor of demolishing , another thing is if there are any architectural elements on the exterior or the building that needs to be retained that could be another condition the owner of the property retain those architectural feature and

**Mayor**- excuse me you have seen the picture Mr. Brockman

**Atty.** – I have seen the pictures there

**Mayor** – the architect features there

**Atty.** – the only features

**Mayor** – I’m sorry

**Atty.** – that I see and architectural is one of mine adveroastinns as the design of the trim around the windows on the front of the house. I would point out, speaking of pictures that in Mr. Iversen’s rendering the new building. They have used that same type of trim around the windows that exist on that house. If I’m mistaken Mr. Iversen you can correct

**Mr. Iversen** – that was the intent

**Mayor** – Yes, I stand to be corrected those details on the windows the windows on the front side.

**Trustee Condella** – what’s the historical value of that house, does anybody know, would someone live there years ago,

**Marcia**- is Fran on

**Mayor** – No

**Marcia**- alright this is what I have that it was part of the first part neighborhood or subdivision in the town. It was part of the Wagner property and it was built in 1816. As far as the residents I don’t know who the residents were/. I don’t know if someone, I don’t know. I do know that the board the Historical Board when they made the Historic district deemed that property important and to be included as part of that neighborhood.

**Mayor**- at the time it was the block. I mean there are , you’re talking about the Wagner brick house at the other end. That is the important structure we will protect forever, but I guess.

**Trustee McLoud** – quick question about the windows, it’s hard to see by the pictures, I can’t see the detail around the windows, but the actual windows replacement? Cause they look like there slider windows.

**Mr. Iversen** – there not original is that your question No

**Trustee McLoud** – yes okay Thank you I didn’t think

**Mayor** – No there not. Shirley your awful quiet. I guess you want to stay that way.

**Trustee Benedict** – I guess I would share when preparing for this meeting. I did go to the county real property web site and look at all the properties what are on that street. And they were all instructed in the 1800’s, 1880 and like that. They are all of those structures on that street are well over 100 years old.

**Mr. Iversen** – and I would argue that improving this block with our purpose development it should improvement for those other historic houses. Right now, there’s suffering from under investment and as a result rents are low which is a tragic cycle. The rents being low and the landlords can’t invest new improvements and we believe that major investment and a new project here will spur the ability so ads to improve their property and raise the property value and raise the improve the overall price of the block. Now it’s only suffering and can only get worse unless major dollars are investment. We are totally in support of preserving those other houses on that Street.

**Marica**- I have a comment we have to have a place for the low-income families to live and that has been one of the areas that there have been able to find rent that they could afford. So, they have to live someplace.

**Mayor** – Yes affordable housing is definitely is an issue. We have to deal with have one structure would have - have too much impact either way.

**Melissa**- Mr. Kincaid I have a question for him. Sorry would this house be able to be saved with rehab as the gentleman has said for the Habitat for Humanity.

**Jamie** – that would be very hard to say without rebuilding that house. Because you have to start from the ground up. I mean your foundation you have to start with your footer and foundation and form what I see the back half of the house doesn’t even have a footer and to build it today by these codes even those it’s an existing building. It’s what you have to do. I really see no other way to do it. I’m to for or against this project. I want to make everyone clear. I didn’t ever talk with Chris until the day I went to inspected it about this. This is just honestly any if it was any were else, I would have already had it as an unsafe structure after looking at it.

**Melissa**- that’s the Historic Preservation Commission. I was just thinking how affordable, it would be and another option for it. Thank you

**Jamie**- I wouldn’t suggest anybody living there until a lot of work was done to it by the time you rebuild it on a remodel like this usually it’s more money than putting up a brand-new building.

**Marica**- on that sad if that’s how we looked at historical structure’s we wouldn’t have any left. Take Susan B. Anthony house in Rochester if someone hadn’t. If some woman hadn’t come in bought it and saved it and redid it, we wouldn’t have that place or Mt. Vernon for that matter.

**Jamie**-your kind of brining the level way up there. I believe those are two different – three different buildings that were dealing with here.

**Mayor** – the Historic Preservation Commission is doing a great job in keeping our Historic District . What it needs to be, but looking at it at my position I’m here. I’m not seeing the real sufficient of this structure.

**Trustee Stewart** - Rich Stewart – I’m a Trustee and liaison for the Village Board to the (HPC)

**Mayor**- yes

**Trustee Stewart** – I would like us to consider trying to have a state historical sign for the structure, if it is taken down. I do have the process it’s not easy it’s a lengthy process and it’s not free either. Someone who have to do research on the property and use private resources if possible, to make sure it’s the right place and submit to the state and convince the state that it’s an important and we would need to have the landowner permission obliviously. I don’t know if there is a need to raise money or get money somewhere and I don’t think we have it in our Village Budget to have the Historical signs and if we think, if we agree.

I know Mr. Iversen would have to agree to this and then we would have someone maybe the historic to do the research and we would submit the application to Albany and try to raise money somehow. Again, I'm not asking the Village Board to do that. I'm just throwing that out as a possibility. At least it makes a statement that the house was there and could have type of description that someone read in the beginning. I think Leigh read it on the beginning about the type of architect. I'm just throwing that out for a possibility.

**Atty.** – This Ed Brockman again, Rich that's an excellent idea and as far as the To accomplish that. I have been involved in that sort of thing before and it would be an excellent project for a young person that is in scouting particular in Boy Scouting that would be appropriate project for an Eagle Scout. Mr. Iversen – we would welcome that certainly and give you need permission for the sign we would also welcome the Historical Commission to grant excess to take whatever pictures they would like. If they found certain architectural features, they would like to take off the building before it's demolished, we would ac that so we are willing to work with you on this. So, if were grated permission to demolish the building Thanks.

**Trustee Condella** – That's a good project for the Historical Committee to head up for that plaque.

**Trustee Stewart** – Do you mean a Yates County History Center

**Trustee Condella**- No our Committee

**Trustee Stewart** – the Historical Preservation Committee-

**Trustee Hoban** – so I have two questions. This is Dr. Teresa Hoban the first one is how long has Mr. Iversen owned this building

**Mr. Iversen**- about four years

**Trustee Hoban** – and was it like – I guess was it occupied when you got it.

**Mr. Iversen** – yes it was

**Trustee Hoban**- ok I guess my question to the Board is this because I always think about precedent as a person who owns a very old building also. Th thing that runs through my mind because I deal with this building everyday it what's to stop me from letting it go to disrepair getting it condemn and tearing it down. What kinds of precedent are we setting and I do recognize this house is in an awful shape but where are we at? Were do we got from here.

**Trustee Stewart** – Teresa that already happened the last historical – the last appeal we had, someone let the house go in to disrepair for years for a decade. They took the chimney down and so and what happened before that Village Board let that happen, said since they , the house is not repairable. Might as well take it down basically .

**Trustee Benedict** – Rich for out of the Village Board Trustees voted that way. There were three that agree with the Historical Preservation Committee.

**Trustee Stewart** – That's true.

**Mayor** – it was a -3 and I broke the tie- yes

**Trustee Spencer** – it should be noted that the Historical Commission was not a vote. There was a 3 to 1 vote

**Trustee Condella** – Theresa about years ago. We had the state Historical guy down here. I can't remember the gentleman's name the head of it.

**Trustee Benedict** – Juliana

**Trustee Benedict** – Yes, he even stated you can't save every house in the Historical areas. Some house are considered dead and jus need to move on with it.

**Trustee Hoban** – yes, I understand that. But what were looking at here, but what about inventory and going forwards what's to stop folks doing this.

**Mayor** – Well Jamie- Jamie for one he's raising his hand.

**Marcia**- there's another thing. As a members of the e district, we have tried different times supposedly, we send a letter telling the homeowner of the disrepair and to please fix it and they get back to us. We'll work with them kind of thing but if nothing happens according to our by-laws, we can level fee per day until repairs are made, but we tried it and was told it was unconstitutional and although it passed when the Historical District came into be it was ok and so were kind of at that point tonight.

**Trustee Condella** – when did you try it

**Marica**- we tried it with I know we did it with Brennan's house. I don't remember the house number. It's next to the Ambulance building that went them I think we tried to with house on the corner of Stark and Clinton and that's about

**Trustee Condella** – Pete Townsend house

**Marica** – yes

**Trustee Condella** – that was in the process before that law came

**Mayor** – I don't want to put Jamie on the spot – Jamie your jump in with both feet. I'm sure you have figured with Historic Preservation code and what are your thoughts in going down the road. Do they need to worry about places getting in disrepair and having this happen again?

**Jamie**- you just cut right to the chase don't you Leigh. I plan on cleaning some things up. I'm working on it and if we see a building similar to that's like this. I'm trying to get to everyone I can to get after them. The Village has a lot of them. It's just not – I'm not just talking about the Historic District. I'm not talking outside or inside the Historic. I just mean general otherwise there's many outside the Historic District many more than just inside the Historic District that need to be cleaned up and I'm on it. I don't want to say anything about the pass, so I wont we'll just get it taken care of from here on out and do the best I can and we'll see we're were at. I don't think you'll be in the same shape as 5 years from now as what you're in now in the Village as long as I'm there. I can't really make any guarantees but it's the best I can do.

**Trustee Hoban** – Thank you

**Mayor** – Thank you very much

**Trustee McLoud** – can I say something

**Mayor**- yes Kevin

**Trustee McLoud** – I live in the Historic District fortunately I was able to catch my house in time, my house was in disrepair when I moved in and I was one of the first that wanted to fix my property up. I think the key going forward or look at is more obliviously is if we do notice if there are issues your there the

Historic Preservation and I'll work with Richard or who every else we can look at options to help people out and what to fix or what ever the issue is with the home. Then we notice there's an issue here and here's some graphics or here some different I think if we reached out to let to the people. Don't have to worry about figuring it out.

Radio, TV or something over the computer is on.

**Jamie-** I'd like to bring up the fact O have been working with Jim Reisenberger from Habitat for Humanity. I do plan a meeting a couple of his other colleagues we have an idea or a plan on idea to maybe getting on some of these properties like Garfield and they'll make them property offer if they see it's for there, they'll be willing to make them an offer on the property which may help out. Where a property may not be worth much at all because of the state of the structure that's on it. There going to give them fair dollars the property. Which is a lot of what there not offering for now, but if we can get them now involved now our properties are. You'll see some of them cleaned up some as long as there willing to do the work.

**Mayor-** very good Jamie- Thank you

**Jim Crevelling** – I was going to say – Jamie you were talking to me- am I right Jim Crevelling

**Jamie** – yes

**Jim Crevelling** – have you had only I know you have been working with Jim Reisenberger on the 300 Elm Street. So, you'll probably run this by him. I'm actually supposed to be at another zoom meeting at 7:00pm with Habitat.

**Jamie-** yes, we talked about the three properties he's familiar with them, he's actually going to bring – meet another one of your colleagues before bring what is I have it in my office. I'm not there right now. So, I couldn't really give that to you at this time.

**Jim Crevelling** – I don't want to interject habitat with the work you folks are doing. I agree with it whole heartly on the other hand maybe there's something that benefits all of us to some extent and help the community to. That sounds pretty but I guess that's what Habitat does. So, I get the zoom meeting at 7:00 what I would do., You folks get to stick with that up or down as 120 Wagener Street is Habitat. If I get to the zoom meeting or somewhere it's still going on. I'll just bring up that the conversation n we brought up other houses and it sounds like there already involved anyway.

**Jamie-** ya were not very far in the process, basically I've talked with Jim about the twice off the records of other things going on. Elm Street basically he knows about that property on Garfield and there was 2 others one that didn't want to go and look at. But it's early in the stages so finger crossed will see what we can do.

**Mayor** – Thank you both- let's get back to 120 Wagener Street here.

**Jim Crevelling** – sorry to take your time

**Mayor** – do we have any other comments before we close the public Hearing. Any more comments

**Melissa-** Mr. Iversen would this be a consideration for 120 Wagener to go to Habitat.

**Mr. Iversen-** our preference would be to develop this with our project as I said before. We have already reduced our units to try to make this viable and to reduce it another 2 would make it thought, but it could be a consideration.

**Jim Crevelling** – this is Jim Crevelling again

**Mr. Iversen** – I do think that the cost to restoring this building as Jamie has indicated would far exceed the demolishing and building a new unit on that lot.

**Jim Crevelling** - this is Jim Crevelling – I would say at this point. I can't commit for Habitat for Humanity. Were talking committee here so this would involve inspection and then we put heads together, so we can do it or can't. So, I completely understand that = that might not work. I'm unable to say we will do it, because that's not how Habitat works. It's a very involved process the other thing the terms of cost. There is no labor cost for the work we do. It's all volunteer the cost is far material. We have a lot of community support for what we do. So, the cost might not be as much as you would think, Labor is 50% or more building construction. Mr. Iversen I'm sure you are aware of that. That cost is gone it's not thee. So, that helps a lot on that regards. We have rebuilt foundation we have rebuild houses should have been So, it not what Habitat done. I'll leave it at that.

**Mr. Iversen** – the cost of the asbestics

**Jim Crevelling-** yes that's why I asked about the shingle's that would probably eliminate the house for us it's self that why I asked about siding would stay.

**Mayor** – Thank you Jim

**Jim Crevelling-** Thank you

**Marcia-** I just have 1 more thing to say. I really hope that we can somehow save this house, because our district has lost 1 house to the flood. Lost another one to not being well maintained and I just don't want to see us loose anymore., If Habitat can help us out wonderful. I just really wish there would be away we can save it and Thank you for listening

**Mayor** – Thank you Marcia. Any other comments- discussion if not I'll entertain a motion to close the Public Hearing.

At 6:53PM **Trustee Spencer** – I'll make that Motion

**Mayor** – Motion Mr. Spencer

**Trustee Benedict** – I'll second it

**Mayor** – second Mrs. Benedict any other discussion

Roll call

Mr. Spencer - yes, Mrs. Benedict - yes, Mr. Condella – yes, Mr. McLoud - yes,

Mr. Stewart – yes, Dr. Hoban – yes.

Approved

**Trustee Spencer** – somebody turn that off

**Mayor** – someone has a TV on – some will mute for this. We have the appeal to consider. Now at the point to entertain a motion to address the appeal.

**Trustee McLoud-** I'll make the Motion

**Trustee Condella-** I'll second it.

**Mayor** – Motion made by Mr. McCloud, second Mr. Condella to approve the appeal. We do have a motion any other discussion.

**Atty.** – what was the motion I couldn't hear it

**Mayor** – to approve the appeal

**Atty.** – Okay

**Trustee Spencer** – approve the appeal and allow the construction of 120 Wagener street.

**Mayor**- demolishing of

**Trustee Spencer** – demolishing

**Atty.** – any condition to it

**Trustee Spencer** – Chris – Chris already agree to let the Historic go in and take photograph or remove articles. I think that is efficient.

**Atty.** – that would be a condition

**Mayor** – and consideration of a plaque that

**Trustee Stewart** – yes

**Mayor** – was that acceptable to your motion there Kevin

**Trustee McCloud** – a sure yes

**Mayor** – okay that being said any other discussion.

Roll call

Mr. Spencer - yes, Mrs. Benedict - no, Mr. Condella – yes , Mr. McCloud - yes,  
Mr. Stewart – no , Dr. Hoban – yes. Carried

**Mayor** – appealed approved

**Atty.** – 5 to 2 was that count 5 to 2

**Mayor** – that's correct

**Atty.** – could I make that procedure point

**Mayor** – yes

**Atty.** – sorry the Board has 30 days to render a formal decision. Do you want a written decision for the record?

**Mayor** – if that procedural is correct. I would thank you very much

**Atty.** – that would be procedural – appropriate Not necessarily

**Mayor**- the I'll take your advice and so Thank you

**Atty.** – okay I'll submit a written decision and signature by the . We have another motion to direct the Mayor to keep the decision on behalf of the Trustees.

**Trustee Condella** – I'll make that motion.

**Trustee Spencer**- second

**Mayor** – motion Mr. Condella, second Mr. Spencer any discussion

Roll call

Mr. Spencer - yes, Mrs. Benedict - abstain, Mr. Condella – yes , Mr. McCloud - yes,  
Mr. Stewart – yes, Dr. Hoban – yes. Carried

**Mayor** – Thank you and I hope this doesn't discourage the members of the Historic Preservation Commission. They we have an asset at the with our Historic Preservation Commission and we than you for doing what you doing to make our Historical. We'll do what we can to help you and Jamie's willing to did a little better. Thank you – Thank you all

**Atty.** – this is Ed Brockman again. I hate to drag this out but based on a couple of comments from the HPC members. It may be appropriate to include the rules for the demolishing request that prior to any decision that the code enforcement officer does on inspection of which every property that is supposed to be demolished that the report to the commission prior to their decision.

**Mayor** – yes thank you'

**Trustee Condella**- Jamie that was a nice report you have been doing a great job.

**Mayor** – Thank – is there any other business or other before we close any request public comments

**Atty.** – one more comment to drag this out – we talked about funding a number of times for the Historical structures we need to do something or that. I don't know how HPC can operate appropriately without having funding available. It's one thing to tell somebody to do something but if they don't have the dough that ant' gone to happen not matter what

**Trustee Hoban** – I just like to say Mr. Mayor it's a sad day when we allow destructing of something old and we should mourn that but it did fall in disrepair and bringing it back is just not an option. But I love old things this make me sad.

**Mayor** – yes

**Jim Crevelling**- I appreciate a chance to not be so old for a little while, Thank you all

**Mayor** – Thank you

**Trustee Benedict** – if there nothing else I'd like to make a motion go into Executive session to discuss work history of an employee.

**Trustee Hoban** – I'll second that

**Mayor** – Motion Mrs. Benedict, second Dr. Hoban

Roll call

Mr. Spencer - yes, Mrs. Benedict - yes, Mr. Condella – yes , Mr. McCloud - yes,  
Mr. Stewart – yes, Dr. Hoban – yes. Carried

**Mr. Iversen**- Thank you Mayor for your time.

### **EXECUTIVE SESSION:**

**MOTION** by Trustee Benedict, seconded by Trustee Hoban to authorize to have an Executive Session for work issue of an employee. Mayor asked the following to attend Atty. Brockman , G. Meeks and H. Easling

**ADOPTED** Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart  
Nays 0 Abstain 0 Absent 0

**ADJOURNMENT OF EXECUTIVE SESSION:**

At 7:14 PM, **MOTION** by Trustee Spencer, seconded by Trustee McLoud to leave Executive Session and return to Special Village Board Meeting.

**ADOPTED** Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart  
Nays 0 Abstain 0 Absent

**ADJOURNMENT:**

At 7:15 PM, **MOTION** by Trustee Spencer, seconded by Trustee McLoud to adjourn the Special Village Board meeting streamed by Zoom.

**ADOPTED** Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart  
Nays 0 Abstain 0 Absent

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Mary Ann Martin, Deputy Clerk