

**LANDMARKS COMMISSION  
December 14, 2017**

**LAN20171214-1  
UNAPPROVED**

A regular meeting of the Landmarks Commission, City of Cedarburg, Wisconsin, was held Thursday, December 14, 2017 at Cedarburg City Hall, W63 N645 Washington Avenue, lower level, room 2.

The meeting was called to order by Chairperson James Pape at 7:00 p.m.

Roll Call: Present – James Pape, Tomi Fay Forbes, Tom Kubala, Doug Yip, Robert Ross,  
Council Member Patricia Thome

Excused – Judy Jepson

Also Present – City Planner Jon Censky

**STATEMENT OF PUBLIC NOTICE**

Vice-Chairperson Pape acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

**APPROVAL OF MINUTES**

Motion made by Bob Ross, seconded by Council Member Thome, to approve the minutes of the November 9, 2017 meeting. Motion carried without a negative vote with Judy Jepson excused.

**COMMENTS AND SUGGESTIONS FROM CITIZENS** – None

**NEW BUSINESS**

**Consider Replacement Awning at PJ Piper Restaurant Located at W61 N514 Washington Avenue; and Action Thereon.**

Judy Fergadakis came before the Landmarks Commission on September 28, 2017 to gain approval of the awning she already installed on her business. On that date, only four Commission members were present. The vote for approval was a tie. The petition then moved on to the Plan Commission at their November 6, 2017 meeting. Based on the tie vote, and that several Landmarks Commission members were absent, the Plan Commission asked that the Landmarks Commission revisit the awning issue. The Landmarks Commission is charged to consider what is appropriate for the Historic District. The Plan Commission can take into consideration business success and other large picture items.

Bob Ross re-stated his opposition to the bright purple color of the awning, citing the fact that Ms. Fergadakis did not gain approval before putting it up.

Planner Censky stated that if one business is permitted, for instance, to keep the awning, then another business installs an awning without the approval of the Landmarks Commission, that business can cite the precedent set. This disrespects the approval process.

Jim Pape saw this as a two-step process: the first question is would the Landmarks Commission have approved the bright purple color of the awning had it been brought before the Commission prior to installation? The consensus among members was that the Commission would not. The second question is will the Commission's approval retroactively cause problems in the future?

Council Member Thome expressed concern with the issue of setting precedent. She sees that Boards and Commissions need the opportunity to set rules as necessary.

Doug Yip pointed out that the Commission has approved other awnings in the District. City Planner Censky responded that they are not as bright as this one.

Tom Kubala said he would not have approved it in the first place, but stated he can live with the color until it needs to be replaced in 5 to 10 years.

Bob Ross made a motion that the Commission not accept the awning with its present color. Council Member Thome seconded the motion. The motion carried with Tom Kubala, Council Member Thome, Bob Ross and Tomi Fay Forbes voting in favor, Doug Yip and James Pape opposed, and Judy Jepson excused.

**Discussion of Windbreak Structures Installed at Several Commercial Establishments in the Historic District; and Direction Thereon.**

Judy Jepson brought up the issue (via phone to Planner Censky) of the temporary windbreak structures erected in the doorways of several local businesses during the winter to protect the patrons of those establishments from the elements when the door is opened. The structures are in place at the Stilt House, New Fortune, and The Anvil, and there has been one in the past at Weisler's.

Jim Pape stated that though he doesn't like the aesthetics, the windbreaks serve a necessary purpose, helping the building to function. Commission members agreed that the building representatives do not need to come before the Commission to erect the windbreaks because they are of temporary nature and are understandably necessary.

**ADJOURNMENT**

A motion was made by Bob Ross, seconded by Council Member Thome, to adjourn the meeting at 7:43 p.m. Motion carried without a negative vote with Judy Jepson excused.

Tomi Fay Forbes  
Secretary

adk