

**HISTORIC PRESERVATION COMMISSION
Butte Silver Bow Council Chambers
5:30 P.M.**

April 5, 2022

Members Present: Mitzi Rossillon, Tracy Miller, John Riordan, Bobbi Stauffer, Jennifer Petersen,
and John Weitzel

Excused Absence: Steve Hinick

Staff: Kate McCourt, HPO, Karen Byrnes

- i. **Call to Order:** The Historic Preservation Commission Meeting was called to order at 5:30 PM
- ii. **Roll Call:** One member absent, and a quorum established.
- iii. **Reading/Approval of Minutes:** Mitzi Rossillon motioned to approve the minutes for the March 8, 2022, meeting of the HPC; Mr. Riordan seconded the motion. The voice vote in favor of the motion was unanimous.
- iv. **Public Comment – Items on Agenda:** None
- v. **New/Old Business:**
 - **Basin Creek Caretaker’s House Project Update:** Ms. McCourt said she had some good news. They are moving ahead with the \$100,000, revitalizing Montana’s Rural Heritage Grant that we received from the State Historic Preservation Office. Moving forward we decided to revise the scope of work to include an interior clean-up and exterior work only. We are going to shore up the outside of the building because it really needs it. Little bad news, we decided to return the Tourism Grant from the Department of Commerce because we would not be able to complete the work in time. The grant manager told me without definite forward movement within the next few weeks they would be rescinding the grant anyway. Angie from Public Works is revising the scope to include all the external work to shore up the building. It will be going out to bid again by April 27th. Another good thing is that part of the scope is that the caretaker’s house must be on the National Register of Historic Places in order to receive the money and actually complete the grant. I will be working on that nomination, and I will be working with the previous HPO, Mary. We are going to work together on creating a small district. It will involve the Caretaker’s House, the other house on the property that the Arborist lives in, the Gazebo, and any other archeology

features on the property. We need to keep it small due to time restraints for the grant. Ms. Rossillon asked the commission if they had any comments or questions for Kate. Mr. Rossillon asked whether in addition to the \$100,000 there is a SARTA Grant and that is all part of the monies available for the exterior improvements. Kate said yes, that is still being utilized. Mr. Riordan just wanted to check that they would have monies available to help finish that project. Kate said yes. We are doing a small district but there is a possibility that we could expand it in the future to involve the whole park.

- **CLG Final Report Update:** Ms. McCourt thanked the commission for getting back their volunteer hours and hoped they could get them completed and signed. I put this together by using previous minutes from the last 6 months of historic preservation commission meetings. I have been able to piece together a report and I think it will be good. It's due at the end of the month so we have plenty of time to get it ready. This is the final report so it's reporting out last year's grant.

vi. **Staff/Member Report:** Ms. McCourt said as we don't have any demo or design COA's this month, but I wanted to approach the commission about one that we will have to review next month. It's a residential home that has been vacant for quite some time. It's 1201 Steele Street on the Lower West Side, south of the college. The owner has not come forward with a demo request yet. He would allow us to come in for a site visit. I would like to see if any of the commission members would like to volunteer to come with me. (Many members raised hands to go.) Kate said maybe next week we could come up with a time. Ms. McCourt also said she would like to thank Karen Byrnes; she has purchased a very nice camera with a wide angle and a telephoto lens for me. I feel like you really need in this position to get good photos of buildings. I also want to let you all know that Lesley Gilmore will be in town tomorrow. She is a well-known historic preservation architect. She has invited me to make a few site visits to the buildings that I know that you all have reviewed for URA grants: the YMCA building, the Exer Dance building, and the furniture store next door. I'm very excited to see those buildings. Mr. Riordan said that 1201 Steele is a place that belongs upright rather than down. Mr. Riordan asked if this building is up for sale, or to be moved? He said he thinks that would be an easy move. Kate said the property owner isn't sure what he wants to do yet. He's not even 100% sure that he wants to demo it. What he said is that he wants a lawn for his kids. He is open to suggestions, and we will follow the ordinance as our guide. I think the best thing would be to try and get it moved. I walk by it every day and it seems to be in good condition. It has good bones. Karen Byrnes wanted to add that the property owner has contacted Kate and the planning department. He just needs to understand what the procedures are. He hasn't made any formal application for anything yet. This is all conversational for this property. Mr. Weitzel asked if the west side is part of the historic district in BSB and Ms. Rossillon said that is correct and that building is within the boundaries of the Landmark District. There is no question about its eligibility; it is a contributing element. Ms. Stauffer said she is happy that this house is

coming to them at this stage and they'll be able to tour it. She said it would be nice if it could be sold and fixed. It has been vacant but does seem to be in good shape.

Ms. Rossillon wanted to mention items that she saw on the URA agenda. I felt that that one of them should have come before the Historic Preservation Commission because it's the sort of thing that would have come to us previously. I want to ensure that as we go forward, we continue the pattern that we had in the past. One was for Lori Patrick's place on California; that had already been a project that we looked at and I didn't have time to see whether the windows were part of the original request. I did see the place on 722 S. Montana and even though it talked about rebuilding the parapet which was in the original, what was not in the original request from the URA was new exterior doors. We are very concerned about exterior doors because we feel those should be compatible with the period. They should not be vinyl. Typically, that would be something that we expect to see here [on our agenda]. Even though it is the second go-around, every time they come with a new request it is actually the same as a fresh request. I just wanted to put that into the record because that's what we expect, and we wish to receive regularly.

Mr. Riordan asked to speak again after the public comment because the conversation would be more appropriate after that. Ms. Rossillon said the dilemma with that is that the HPC cannot respond to any comments that are heard so she would prefer that Mr. Riordan go ahead and speak. Mr. Riordan said alright obviously now we have an elephant in the room and that's basically dealing with Park Street. He said he had talked with Karen Byrnes about it earlier and was glad to see that another BSB commissioner and a former commissioner were at tonight's HPC meeting since the response to the county's proposal on this issue has not been very well received and he thinks this is the place to address it. I'm just going to put it out there: Basically probably two out of three people are not happy with it, and Karen and I conversed about that. 1. They don't believe that the correct policy was followed for what happened down at the Cribs or Blue Range. Basically, it was somewhat of a bail-out that this Blue Range was demolished. A couple other comments that I received was that they feel that these buildings on Park Street can be repaired similar to the O'Rourke addition. That building was jacked up and the brick was removed and replaced and now those apartments are selling very well. Another thing that came to my attention from these people is basically that these lots are valuable to Butte-Silver Bow and if these buildings were razed it would be a great place for development in Uptown Butte. It's my job as a commissioner to bring this back to the council. I think there are a lot of things to be answered to the public from the conversations that I have had. He said that Karen has volunteered to talk to these people. We must have a procedure and every procedure needs to be followed on these buildings. I realize that we have a code that a building can be designated as unsafe. An example was that no one, no commissioners, could get into the Blue Range building to take a look at the situation inside. Opening the paper after our request on Sunday morning was of the Montana Standard photographer and one of her friends and Larry Hoffman sitting there. I think that people just want a little more

transparency and I think that they have some definite questions that need to be answered. Procedures make business smooth. No offense to Karen Byrnes; we just need a procedure. Dan Callahan, a commissioner, knows the time that we spent on the Blue Range, and it basically got wiped out over [the declaration of it as] an uninhabitable building. One question I had about [these East Park Street buildings] being condemned was that they are open and doing business. If it's uninhabitable it shouldn't be happening, or should it be happening? These are just some of the concerns that I received, and I'd like to put out there. I'm not trying to make things hard on anyone. I think that we have to do a lot better, and we have to satisfy the public and the taxpayers before we venture on through this process. How we are going to handle it throughout the other processes if there are any? I visited with a couple people from historic preservation, and we wonder what the process going to be My wish out of this is, being an old Butte boy, is that this comes out favorable to both parties [the county and the Butte Rescue Mission], but right now what I see is strict opposition as this procedure goes down the road. I think we need to do better again the way that we do business because one of these days Butte-Silver Bow is going to get hit. I love old buildings; I know you can't save them all. I think our record speaks for the amount of demolition permits that we have given on smaller jobs.

Ms. Stauffer thanked John for raising the issue and said she is glad that we are having this conversation. I feel like it's going to be a very costly project to demolish and that is taxpayer money. I do believe every effort should be made to see if someone would want these buildings. There couldn't be a better time for people to be interested in our old buildings, and to have this decision made so quickly without a lot of due diligence, it should have come before us, and we should have had a presentation about it and there should be an effort to put out to a developer's packet and not rush. I don't understand what the hurry is. I hope that the commissioners tomorrow night vote to slow this down so that we can come up with a process and follow that process and be happy that whatever that decision is, it's a measured, thoughtful decision and not some rushed job.

Ms. Rossillon said we have a procedure; what we need is a new procedure. Eight years ago, there was a comprehensive Historic Preservation Plan that was developed. It had members of all different facets of our community, and among the things that were key, I think there was 10 talking points and one was that there would be an engagement between departments in Butte-Silver Bow so that things were discussed between department heads. I would say there was also opportunity for discussion from the very people in this community that have been appointed by the chief executive to think about things that are historic preservation. That has not happened in this entire process. The new procedure needs to go back to the procedure that was identified previously. What Bobbi said about this is a new day in Butte is absolutely true, and John referred to the O'Rourke, but it's not just that. More than 15 years ago the O'Rourke was identified as unstable and could not stand. An appeal was made, and it continued to stand. Here all these years later we have a fantastic building, a fantastic project, someone that's not afraid to spend millions of dollars to do a stabilization. When in fact we know that it

actually had been red tagged. It hadn't been identified as a public nuisance, but if anyone had bothered to look, I'm sure they would have said that. And to be frank the same could have happened for the Exer-dance building. There are some serious structural issues. The owners have said, and I believe them, they are going to spend 15 million dollars to bring that building back. Instead of closing the door to people who want to take buildings that are rough but still have some historic significance we should be making the opportunity to do what is best for their business and for our community. The reason that 135 North Park set this whole set of dominos falling over was because county staff did not do their homework. By that I mean this whole thing is all about this party wall. With minimum research someone could have found that there was a party wall and not even started the demolition or thought more carefully what the demolition involved, but by not doing the homework it set this whole thing in motion that is now talking about threatening 3 buildings on that block.

vii. Announcements: None

viii. Public Comment – Items Not on the Agenda: A gentleman spoke (speaker off). Speaker came on.... Cameron Moylan said he tried to buy 135 East Park a couple of years ago after looking at it very closely. I can say with absolute certainty I can't see a reason why it can't be taken down on its own and this idea that the whole block of buildings has to be torn down because of one bad building is completely ludicrous. You look at the shared wall on both sides; there are dozens of buildings Uptown where one building was older or burned down or something and the other building is still there. The most recent example is the M&M. The buildings to the north and south of the M&M have the exact same style shared wall. They just did exactly what needs to be done with 13 Park on the M&M. There's no reason why it can't be done and not only that, but it would be a lot cheaper. It would be a lot cheaper to just take down the one building even if you didn't count the value of the buildings around it and of course they are more valuable now than they ever have been. Everything is different now since Covid. The values are way up on everything and there's no reason why those buildings couldn't sell for hundreds of thousands of dollars meaning the two large thrift store buildings. Those are excellent buildings; they have good roofs on them; they are functional buildings. These are not derelict properties. We're not talking millions of dollars to dress them up; we are talking tens of thousands of dollars and that includes stabilizing that wall. It's one of those things that doesn't pencil out what they are saying to do. It's a lose-lose situation and it could easily be a win-win situation. There are salvage companies that take them down for next to nothing compared to what they are talking about. To me it's obvious there is something else going on here whether it's a parking lot that people want, that certain elements want. Possibly for the Praxis Center or what have you. I wish that they would come out with the real reason because those buildings are absolutely fine that they are talking about tearing down.

Ms. Rossillon asked the commission if they had any comments at this time. Mr. Weitzel said this has nothing to do with Park St., but another question that a few people have

been asking me about is the old Montana Power building on Broadway. One section of the building next to the Acoma has a for-sale sign on it, and a lot of people have been asking me how do they sell that when they have that whole building? I was curious how to pass this question on and how that would work. Are they going to get the market price or what? Karen Byrnes responded that when the property owner, Steve Grover who represents Bitterroot Gateway Development and Montana Studios, purchased the property from us his intention was to develop the entire structure -- 5 buildings that have been cobbled together over the years creating a building that is a maze. In his due diligence in redeveloping the structure it became very apparent that it would be more marketable if he was able to split the building into 3 separate buildings. He had a lot of architectural work done to see if he could physically separate the building. Separating it back out into 5 buildings does not make sense, but into 3 structures does make sense. He has done work to separate all the systems of the building. The systems are all in the center building. He created 3 parcels out of the one. He went through the Planning Department and went through the process of creating 3 separate parcels. He is looking at selling off a portion of the structure as a way to fund investment in the rest of the buildings. He approached us early on that this was his idea and how he was going to move things forward because things had stalled in his world of investors for lots of reasons, Covid being one of them. He was trying to keep things moving. We were wholeheartedly supportive of that because if we have 3 separate property owners and 3 separate buildings that are doing great things it makes sense to us.

Ms. Rossillon called Dan Callahan forward. Mr. Callahan, Commissioner of District 12, said I just want to thank this committee and everyone that has worked so hard to keep this Basin Creek Reservoir Project going forward. As you know Mitzi, Jennifer, Mr. Olsen, and myself have a lot of sweat equity into that building already and a lot of time involved. Since I've been on the Council this has been something that we have tried to move forward, and it has been a slow process. I appreciate all your effort to keep this going and let's get this thing over the top and get it done.

ix. Adjournment: Ms. Rossillon adjourned the meeting.