

Fairhope Historic Preservation Committee

Monthly Meeting Notes, Tuesday, December 13, 2023

Attendance: Chris Williams, Skip Jones, Gary Gover, Amy Molyneux, Cynthia Rush, Elizabeth Williams; Absent: Mara Kozelsky

Agenda:

- 1) Proposed Ordinance
- 2) Approval of Meeting Minutes from 11/2/2023

Gary Gover called the meeting to order 9:35am.

Notes:

1. Skip Jones moved to approve meeting minutes from 11/2/2023. Elizabeth Williams and Cynthia Rush seconded the motion. None opposed.
2. Proposed Ordinance – Skip Jones moved to approve. Cynthia Rush seconded. Elizabeth Williams opposed.
 - a. Discussion: concerns over the number of Commission Members in Section II B1. CLG says that at least 3 Commission members should be in the historic preservation field and our proposed ordinance says 7. Chris Williams states that he was trying to comply with statutory provisions and that the key word in that sentence is training, not necessarily that a member would have to have a degree in historic preservation. Statute allows for a liberal interpretation. Discussion also questioned bona fide residence sentence. Chris Williams' explanation was that if you live in a district, you don't have to have training. If you don't live in designated district, a committee member would have to have experience or training. Chris Williams will add an amendment to the sentence "members may also be residents regardless of training or experience."
 - b. Discussion about why we changed Section III regarding demolition review and moratorium, specifically, why did we remove this from the proposed ordinance? Chris Williams stated that the City of Fairhope has no legal authority to enforce this. It is his legal opinion that we should first create the Commission and potentially add in a demolition provision later when creating the districts. He would not recommend this provision to the City Council. Elizabeth Williams stated she would do some research regarding demolition clauses in other cities and will forward to Chris Williams before the January meeting. Chris Williams states that he will

also reach out to the State Commission and if they send something to support demolition review, he may reconsider his legal opinion.

c. Discussion regarding Section IV regarding public nuisance. She just wanted a clear explanation of the meaning. No further issues.

d. Finally, Chris Williams is amending the last sentence in Section V.1: Maintenance of Historic Properties and Properties in Historic Districts to read "It shall be a violation of this ordinance for an owner to fail to maintain any structure or fail to prevent any illegal act or conduct with respect to such Historic property or historic district."

Chris Williams will send ordinance showing redline changes as of 12/13/2023 to present at City Council Meeting in January 2024.

Motion was made to approve ordinance as drafted with exception of two amendments by Gary Gover. Seconded by Elizabeth Williams and Amy Molyneux.

Move to adjourn at 10:30am by Skip Jones and seconded by Cynthia Rush.