

CITY OF CIRCLEVILLE
HISTORIC DISTRICT REVIEW BOARD
104 EAST FRANKLIN STREET
CIRCLEVILLE, OH 43113
(740) 477-8224

February 21, 2018
CITY ADMINISTRATION ~ CONFERENCE ROOM

MEETING MINUTES

Members Present: Barry Boyer, Paul Johnson, Alice Massie, Jill McFarland, Tony Jankiewicz and Marilyn DeLong; Kim Hunter, Clerk.

Chairman Barry Boyer called the meeting to order at 9:05 a.m. and declared a quorum was present.

The first item on the agenda is Election of Officers. Paul Johnson made the motion that Barry Boyer stay on as Chair. Tony Jankiewicz made the motion that Paul Johnson stay on as Vice Chair. All members agreed. All in favor, motion carried to keep the same slate as 2017.

The second item on the agenda was approval of the November 2017 Meeting Minutes and December 2017 Meeting Minutes.

Barry Boyer asked does anyone have any additions or corrections. If not, the Chair will entertain the motions to approve meeting minutes for November and December of 2017. Paul Johnson motioned to approve, seconded by Jill McFarland. All in favor, motion approved.

Informal Discussion concerning Downtown Zoning Variances - Don Sherman

Don Sherman stated we are going to work very hard to coordinate Zoning and Historic District Review Board closer. There are some things that have come before the board that really didn't get reviewed with Zoning and should have, especially with the signage. When we look at it from a compliance standpoint with Zoning, as far as square footage and the Certificate of Appropriateness, it is important that we coordinate this. In the entire downtown area, especially Court Street and Main Street, the public Right-of-Way is basically the face of the buildings. If you go back to the old Right-of-Way, a few of the buildings actually encroach in the Right-of-Way. The Zoning Code says you will not encroach in the right of way. Any perpendicular sign or awning in the downtown is not in compliance. A lot of the awnings came in through the Historic District Review Board, but did not go through the Zoning. I want to try to coordinate that better so that we don't have these issues. What brought this up is one of the downtown

businesses wants a perpendicular sign in the right-of-way. The Mayor is all for perpendicular signs because he thinks everything is much more visible. We are getting some requests for perpendicular signs. I have been working with ODOT since that is an old ODOT right-of-way, so they have some influence. ODOT basically says they don't have any dog in this fight. However, if we get any project with federal funding encroachments in the right-of-way becomes an issue.

Paul Johnson asked so you are talking about a roadway project, or curb and gutter?

Don Sherman replied when we got the downtown signalization, it was a federally funded project. We had to do an inventory of all of the encroachments and remove any of them that we could. Chances are we may not get federal funding for many years. However, ODOT is suggesting is if we decide to allow encroachments in the right-of-way, they should be permitted and either an easement or an agreement should be signed by the building owner and the permit is revocable. We could say because the situation came up you need to remove that sign. I presented this to the Zoning Board and they wanted to get your opinion since it is really only in the downtown area. I am also going to go to long range planning with this because they are looking at some zoning code changes. I am bringing it to you guys to let you know it is going to be coming forth. What is your take on perpendicular signage and awnings? Would you want to see the Zoning Board grant a variance in this case? If we do grant a variance, do you have any recommendations? We are going to coordinate this so that the HDRB, Planning and Zoning Commission and City Council are all on the same page. We don't want to do something that you guys aren't happy with and we don't want to do anything that City Council isn't happy with.

Tony Jankiewicz stated can I add that we are also doing the Main Street Program and we are actually having our first board meeting tomorrow to elect our board members. We would like to work with you on this as well. I think there are a lot of heads to get together when we are doing our downtown assessment. According to the Main Street Program, perpendicular signs are what is really preferred throughout the other districts that have used them, as far as seeing what is out there. There are a lot of issues to talk about. The one thing we really want to do is get together and look at the various zoning issues that we have and maybe look at changing things and doing things differently.

Don Sherman stated historically, if you look at old pictures and everyone had perpendicular signs and it was pretty normal. ODOT said anything that was perpendicular prior to 1935 was grandfathered in and anything since 1935 was not.

Paul Johnson stated that is far reaching.

Don Sherman stated yes, it is. That is when 22 become a State Route. That is why they say 1935, that is when it they took over and it became a State Route. Well, 56 is a State Route and 22 is a Federal Route.

Paul Johnson stated it does make sense that any permit we would grant would be provisional, subject to ODOT's jurisdiction.

Don Sherman stated it is federal because of potential federal funding.

Tony Jankiewicz stated it is also hard as a business person to spend \$3,000.00 on a sign and then be told that it has to be removed, that is not a good thing either.

Don Sherman stated I understand. This is what the City of Columbus does and this is what they recommend that we do. I meant to bring the email and there is an email trail on this.

Marilyn Delong asked do they have perpendicular signs in Canal Winchester.

Don Sherman replied they do not have a State Route, and that is the difference.

Barry Boyer asked when the last time we had a federally funded project was.

Don Sherman replied it was in 1996 or 1997.

Barry Boyer asked they came in and asked for all signs that encroach in the right-of-way to be removed? What actually happened?

Don Sherman replied we ended up doing an inventory and a broad permit. It passed by ODOT at that time, but their rules and guidelines have become more stringent over the years.

Barry Boyer asked so are they signaling that they will not approve federal funding for us?

Don Sherman replied there is a possibility that we would not get federal funding.

Barry Boyer asked is there a probability? Yes, there is always a possibility, but is there a probability that they will deny federal funding because we have perpendicular signs?

Don Sherman stated the only thing I would ever see us getting federal funding on would be upgrading the signals. The signals are over 20 years old now.

Paul Johnson stated streetscaping of any kind.

Don Sherman stated I don't know if streetscaping would be federal funding, or not. A lot of the funding is from ODOT funding, not federal funding. There is a difference there. The South Court Street connector had federal funds in it. There are two pots there and I can't tell you which pot any given thing would come out of.

Paul Johnson asked was the South Court Street connector federally funded because it tied to State Route 23.

Don Sherman replied no, just because of the way they got their funding. ODOT has their pot and they have a federal pot. They took that one out of the federal pot.

Tony Jankiewicz stated what Circleville needs is to attract more businesses. We have twenty one empty storefronts and part of this is really being business friendly. We can't make these new businesses or existing businesses jump through 27 hoops just to get one little thing done. We need to start to streamline things where it is much easier to get an answer and get it today, not wait six months to get an answer. That is part of the issue we have had in the past is that we have all of the different agencies have their rules and regulations and you have to go through all of the steps. It would be really great to start to do that because we really need to get some new businesses in this town. All of the other things kind of hamper that.

Paul Johnson stated telling someone who wants to open a new business that yes they have to get a sign permit and we are going to allow a perpendicular sign, possibly. That is the attitude here. We want to attract new businesses, but buy the way, that sign might have to go away.

Kathleen Young from the Governor's office has been involved with the Main Street Project and she had actually looked into the perpendicular signs.

Don Sherman stated I have the email trail from her too. She was involved with ODOT training. Back when the signals were upgraded, it was 80% federal and 20% local. With the way the current budgets are going, it will be 20% federal and 80% local. We won't go after a federal funded project if we only get 20%. It is not worth it because of all of their rules that they put on you. It raises the project about 30% to 40%. Financially it just doesn't make sense for us to get federal funding, at least in the near future.

Tony Jankiewicz asked where we go from here.

Don Sherman asked what your take on this is. Gary has already drafted some type of agreement that we can use. If the general feeling is that perpendicular signs are a good thing, then that will give the Planning Commission some guidelines that you are in support of it. In the past we had just said no, but that would mean there would be no perpendicular signs or awnings in the downtown.

Marilyn Delong stated I like it. When you invest money in sign, you want it to be there. That is a lot of money to spend.

Don Sherman stated I understand. I don't disagree with you.

Tony Jankiewicz stated whatever you are doing it needs to stay. If you look down the street and stay on the sidewalk, you don't know who is there. Perpendicular signs are wonderful because they are in your face, of course you want it to be a nice one.

Marilyn Delong asked are we going to go electronic. In today's world, electronic is so much easier to be able to change signs.

Paul Johnson replied historically correct.

Barry Boyer stated it needs to be aesthetically pleasing.

Paul Johnson said speaking of perpendicular signs, what is the general thought here regarding that? Should they be attached to the building or should they be pole mounted?

Barry Boyer stated the poles are off. The only poles now are the ones that are already existing?

Don Sherman there are two in the downtown.

Paul Johnson stated Tootle's old sign is one of them.

Tony Jankiewicz asked they aren't allowed anymore?

Don Sherman replied current zoning does not allow encroachments in the right-of-way. I got an opinion from Gary and the Planning Commission can grant any Variance. They could grant a Variance to put a pole sign in, theoretically. I don't have a problem with perpendicular signs, but I think we should say they should only stick out no more than 5 feet from the building. There should be a reasonable guideline. A five foot awning is pretty standard. The problem with the pole signs is if you get the trees or light fixtures too close, you will hit them when you open the door. I would say no encroachments. It is also a safety issue if you run off the road. I would say no on pole signs.

Barry Boyer stated the two perpendicular signs that we have now are supposed to come down if there is a change of ownership or a change in use, then they would disappear.

Marilyn Delong asked where the other sign is.

Don Sherman replied at the empty car lot.

Barry Boyer stated someone tried to get them to change it at one point in time and one of us went down and said you can't use that sign since the old business is gone.

Don Sherman stated they covered it last fall. They rewrapped it in the fall and I went down to see what they were doing.

Barry Boyer stated they should take it down.

Paul Johnson stated it is helpful to go down the street and be able to see the perpendicular signs and what the business is. As long as it is done tastefully.

Barry Boyer stated my thought is if we continue to allow awning and perpendicular signs we are going to have visuals that just become insane and confused. I would think we could stop the awnings and allow the perpendicular signs. It would probably have more impact and a better option financially for most small businesses coming in. They don't really want to pay for awnings, they would rather pay for a perpendicular sign. Honestly, with a few exceptions, most of the awnings don't look good anyway. They are not well taken care of. My personal thought is, I think we can keep perpendicular signs and I

think we need a limit on how far out they can come, but no awnings. Maybe we could put a provision in that says at any time it can be converted to a flat sign, as opposed to it has to come down. When we approve a perpendicular sign, we are approving it as if it could at some point in the future become a flat sign.

Marilyn Delong asked are we going to be more specific as electronic or not electronic. Does the color have to match the building? We are not allowed to talk about colors anymore. I don't know if that is part of the Main Street Program.

Tony Jankiewicz stated I am not sure how that is going to progress. We will have a whole design committee we are putting together and they will want to work with this group, as well as Zoning and everybody.

Barry Boyer stated I think we got in to trouble with the colors when we had meeting after meeting of people saying they didn't like certain colors or different shades of colors. We got in to that instead of saying this is or is not aesthetically pleasing.

Tony Jankiewicz stated bad taste is bad taste though too. Do you want to allow bad taste?

Marilyn Delong stated and we have had that.

Paul Johnson stated you could simplify it by saying the color of the sign needs to match the pallet of the building. The aesthetics need to match the architecture of the building.

Barry Boyer stated I think we already said that it has to be architecturally consistent.

Paul Johnson added with the individual property. We have so many different architectural styles as you go up and down Court Street or east and west on Main Street. You have art deco, commercial Italian and it just goes on-and-on.

Don Sherman stated if you do it correctly, you can do pallets. I was in a town last summer, going down the street and there was a building that had four, one foot color chips taped to the building. I asked what was going on and they told me those were the color chips they were looking at and the board would be selecting which one they would allow. There are ways to do it, but it is tough. The board could set a policy or guideline, if you wanted to go that route. However, for the number of buildings we have with different styles it would be very difficult. You would need all of the buildings to be from the same period to do that.

Tony Jankiewicz stated if you look at the downtown and you look at the cheap signage and the stuff that has just been thrown up, it just has to stop. We have a box sitting in front of the one shop. It has been there for four months, a big trash box sitting in our downtown. That kind of stuff really has to stop. I don't know if that is part of this committee, but it is certainly going to be a part of what we do with the Main Street Program. We really need to start to beautify this town. If everyone is doing whatever they want to do the cheapest way they can, that is not what we want to see. We are going to work against

that. We also want to work with businesses because again, you do not want to handcuff businesses and make them pay an exorbitant amount of money. If we want our town to really be beautified and revitalized it has to start with the signage. We have these so called thirty day signs and banners. What is the rule on the banners that hang down? They have been up for years.

Don Sherman stated I didn't listen to Council last night, but I am hoping they approved the change in the budget. In that there will be a Part-Time Zoning Inspector. I go after the worst ones. I almost need someone in the downtown 40 hours a week, but that is not going to happen. The budget is for 10 – 20 hours a week. Hopefully we will be able to hire somebody and start addressing this issue. We have had some new businesses come in and pick up a sign permit and that is the last I see of them. I don't have the staff, at this point, to be able to follow up on them. We have a 2 - 3 page list of signs in the downtown. When we get someone we will try to address some of these issues.

Tony Jankiewicz stated we do need some teeth when the rules are not being followed. We have people that follow the rules and people that don't follow the rules. Why are we here if we have the rules and they aren't being enforced?

Don Sherman stated this is going to be an ongoing problem and I don't see it changing in the near future. If someone doesn't comply, our only avenue of recourse is for the City Law Director to file a lawsuit in Common Pleas. The problem is that they are shorthanded too. I can only take it so far and then I have to rely on the Law Director. We probably get 80% compliance just by writing a nice letter and talking with people. I always write a nice letter first, I just don't write a notice of violation. They might not be aware that a permit is required. Most people end up complying. The problem is that it is our only recourse. I have been talking to Gary to see if we can write a citation. If we write a citation it would then go to the Municipal Court. He is already in the Municipal Court for thirty hours a week anyway. He is already seeing cases in the Municipal Court. If I can get it to go to the Municipal Court as a citation, then it wouldn't be such an increase on his workload. He would be able to do them while he is there, instead of going over to Knece's court. Our biggest thing on the citations is how you can write them and who has the authority to write them. Having the teeth to enforce this is probably the biggest problem.

Tony Jankiewicz stated citations usually do work in getting people to do things.

Paul Johnson stated it is nice to be proactive versus reactive and to work with them before they spend \$400.00 to \$600.00 on a sign and then tell them that it has to come down.

Tony Jankiewicz added maybe they should be alerted when we recognize that there is a new business in town.

Don Sherman stated technically you need to get a new C.O., and I know that is not being done. If you rearrange your shop and change your egress routes, technically you would need a C.O. and a life safety inspection. By code, that is what you are supposed to do. If you go in and put new shelving in and build a wall, you really should get a new C.O., it becomes a life safety issue. What if the Fire Department can't get through a doorway because something is in the way? It is a tough balancing act.

Paul Johnson stated it is a double edge sword.

Don Sherman stated I will let the Planning Commission know that the perpendicular signs are being looked at favorably.

Barry Boyer asked is there any pushback from anyone here or any thoughts on the perpendicular signs? Does anyone have any thoughts on awnings?

Paul Johnson stated I am a little more relaxed to awnings, but that is just because I have one. There needs to be a mechanism in there that if you have one it needs to be maintained. The seams can't be ripped.

Don Sherman said they are nice if you are downtown and it is raining.

Tony Jankiewicz stated I think awnings could be very nice. They would provide a little color here and there.

Paul Johnson stated we had several on Main Street that looked terrible. We even had the old aluminum ones that cranked out, the canvas ones that cranked out and some were crooked. Fortunately, most of those awnings are gone.

Tony Jankiewicz asked are there rules and regulations as to what types of awnings we can put up, or not? Maybe that is something that we can do, as well as the provision that it has to be maintained.

Don Sherman replied the board can set that. Section 27 is a Historic District Overlay. If you wanted to, You could add or subtract anything to this section, or you if you want to address awnings. You would need to put some guidelines together or anything you would like to be changed. It would then go to City Council to readopt. This one is simplistic, but if you wanted to you could get into details. There is a process, but it can be updated. I think a lot of what you are talking about is addressed in here. In 27.07, Historic District (Overlay), it gives the criteria for evaluation. It can be narrowed, widened or redefined. I know the Planning Commission is working on some new revisions. City Council has a lot of suggestions that they have brought up as well. I was here last fall with Tom Spring to talk about what City Council wanted to do. That is still tabled at City Council. When it comes back up it would be a good time to address some of the issues that you may have.

Tony Jankiewicz stated maybe this group and a design team with Main Street could get together to come up with a master plan. We need to investigate it further.

Paul Johnson said that was a good idea.

Barry Boyer stated I am of two minds in this whole process. The libertarian in me says we don't need more rules than we already have. If we go down this path of defining this and defining that and I think it just snowballs from there. In general, I like the concept of looser guidelines that we can interpret

based on aesthetics and architectural appropriateness. However, it is really hard for new business owners to come in and look at this and determine what is right or wrong.

Tony Jankiewicz stated there is too much of a grey area right now. I agree with you in that rules and regulations do nothing but hammer the process. However, they are needed or you are going to have a street full of signs like we have now.

Barry Boyer stated then it ends up being sixty pages of design standards that no one at this table can keep track of. These small business owners are struggling to get their inventory in and their work done to open. Now they have to spend three weeks looking through sixty pages of our rules to figure out what they can and can't do.

Tony Jankiewicz stated I think part of the design team from Main Street will actually work with the new businesses that want to come in town. You want to do something, let's talk about how to do this. It would be better than just throwing them out there and letting them come up with whatever they want to. It is their building and their business. They have a right to put up what they want, but a lot of what they don't know and they just go the cheapest route. We have to find a way to enforce these things without being police officers. If we just accept what is happening and what has always been happening things are never going to change.

Barry Boyer said I love this whole welcome wagon idea. Someone comes in, it doesn't have to be in official capacity, but someone who can walk them through the process downtown or direct them to the right people who can help them.

Tony Jankiewicz stated they could help them pick out colors.

Paul Johnson stated the natural place for this would be the Chamber or the Visitor's Bureau.

Barry Boyer said the building owners are the first contact with someone who is renting the space for a business.

Paul Johnson stated I definitely take that to heart. Being a building owner, there should be some responsibility to tell them to make sure the sign is in compliance.

Don Sherman stated there are building owners that won't do that.

Paul Johnson said because they want to fill their building, I understand that. We have over twenty storefronts that are empty.

Tony Jankiewicz stated maybe the new design team for Main Street can get together with us here and come up with a plan to rewrite this and help people to really establish their signage, awnings, etc.

Paul Johnson stated when someone comes to us and they are looking in to occupying one of our buildings, we very broadly tell them to go see the city in regards to signage.

Barry Boyer stated I hate to cut you guys out of this. As broadly as this is written now, maybe the answer is not guidelines but just internal recommendations that the Historic District Review Board writes. These are the directions that we would consider to be aesthetically pleasing or architecturally significant. These are the things that in general are seen favorably on this committee. That is a document that first of all doesn't need eight months of bureaucratic nonsense to get instituted. Secondly, we can change it as this board changes and as the dynamics of the downtown change. Let's review our internal guidelines that we are giving to people. We might see something that isn't working out, then we can change this in our internal recommendations. We change our document and put it in a package. This board views this type of thing favorably or this board will probably not view this type of thing favorably. Then the business owners have something that we can change and it is not set in stone. If someone comes up with a great argument for using concrete busts on the front of their building, we can always change our mind. We can say in general we don't want gargoyles, but you have presented a compelling design.

Don Sherman stated from a legal standpoint you would need to say design recommendations or design preferences to be set by the board and adopted by the board. That is all that would have to be said. I am looking to try to enforce it. You wouldn't have to codify those changes.

Barry Boyer stated then there is nothing to enforce. We are not saying this is a rule. We are saying bring it to us. When we review it as a board we have the right to say it is aesthetically pleasing or not aesthetically pleasing. That is the rule we are enforcing, not recommendations.

Tony Jankiewicz stated instead of getting your sign or making your sign and then trying to present it, you could go to the group and get ideas.

Paul Johnson stated that is a great idea. It is not codifying, we all recognize that when you get right down to brass tax. You can't enforce that, but this is our town.

Barry Boyer stated we are the first step of enforcement. If we as a board say we prefer these things and we prefer you come forward with a design like this and someone walks in the door with a sign and we vote to deny the sign permit that is our decision. You had advanced knowledge and guidance from us and this was the direction we were going and you chose to not do that, then there is our enforcement. It is not aesthetically pleasing.

Paul Johnson stated it is a broad brush and it is effective.

Barry Boyer replied it is broad, yes.

Don Sherman stated Planning and Zoning just got sued on a Variance. In 27.07, it gives you the criteria. When you deny or approve something, make sure you specifically refer to these criteria. For example, we denied this because of B. and M. You have to make it very clear, that is what saved the Planning Commission. We had A. through G. and we were very specific when we denied it about the reasons and basically read that part of the code.

Barry Boyer stated in general when we do have an application I ask the board to consider if four or five things from the code and these are things that we need to consider as a board. I try to delineate those things as we consider. C

Don Sherman stated that is fine. I just wanted to remind everyone since we have went through this in the last year. It is just good practice to do that.

Barry Boyer stated I don't think there have been many situations where we have said no. Most of the issues that we run in to we ask for a modification, and we usually get that.

Tony Jankiewicz asked is there any way new businesses can be alerted when they come in? Here is a group that can help you.

Marilyn Delong asked what we can do. There is one business in town that has had signs up since October. Now he is selling something else, which is advertised on the one side of the door. That is the main attraction at Court and Main. People sit at that intersection longer than anyplace in town.

Tony Jankiewicz stated that is what people think of our downtown, and they keep driving. Again, you have new businesses moving in and they don't come to us. They spend money on these signs and then we have to tell them you can't do that. How do you stop something like this? If you have a welcoming committee that will welcome the new business. Of course, you have to know they are there and what they are doing. We have to get in front of this and say here we are. We would like to help you figure out your signage and have people to help with the design.

Don Sherman stated by the time it comes to our attention, they are way down the road.

Paul Johnson stated it is too late. They have already designed it and then you are just dealing with size.

Tony Jankiewicz stated then they will be mad because they just spent all of this money.

Marilyn Delong asked how many building owners we have in the downtown.

Don Sherman replied I will give you a count within the next couple of months. This spring we are going to be sending out letters to everyone reminding them that they are responsible for their sidewalks in front of their businesses, to make sure they are level with no trip points. We will do that again in the fall, before the first snow. We decided that we are going to be a little more proactive this year. We will be making a master list of the downtown building owners. The letter will go to the building owner, not the businesses.

Paul Johnson asked does that include the brick strip.

Don Sherman replied yes, it does. By code, everything out to and including the curb is the building owner's responsibility to maintain.

Paul Johnson asked do they own the trees. If I am going to be responsible for a sidewalk, the trees are coming out.

Don Sherman replied that is the only grey area. We have funding to replace five trees per year. City Council has authorized splitting the cost with the property owner. We will be putting root guards in and a little bit of brick work. It will cost us an excess of \$3,500.00 per tree. We will split it with the property owners, so that way the city has some investment in it too. It will be a different style of tree. There is a new tree commission and they will recommend what type of trees. A lot of the trees we have now have been topped, so they will never be correct. We are trying to upgrade the trees. The one in front of Gibby's is right in front of their front door and we have talked to them about moving it. When the leaves drop they blow right in their front door. We will try to work with the property owners to address some of these issues.

Paul Johnson stated one of the tough things you are going to run in to is the previous street scape project. The trees were planted and the sidewalks are now going up and down. The owners were accessed at that time for the improvements. Now they are going to be asked to go back and fix a sidewalk that they were accessed for and they didn't have any input on, as far as the trees.

Don Sherman stated the trees were discussed with all of the property owners at that time.

Paul Johnson asked what about the root guards?

Don Sherman replied you have to remember that those were planted in the late 90's. At that time they planted Bradford Pears and they were a nightmare. However, that was the tree to plant at that time. Now the trees that are here were the tree to plant at the time that the Bradford Pears were taken out.

Paul Johnson stated the Bradford Pears were beautiful. However, you would come out of the restaurants and step in manure. It was disgusting.

Don Sherman stated you had to power was the sidewalk every week and a good wind would split them. I have funding to take care of ten trees this year. We did several last year. I had a couple of property owners that verbally agreed, but then I couldn't get them to sign an agreement to do it. We will go to some of the property owners this spring. I am looking for the ones with the worst sidewalks, so that we can work with them on getting it fixed. There is an empty tree grate in front of Gant's and two empty tree grates in front of Chase Bank. I would like to get those back in, but there is a really bad one in front of Tuscan Table that has heaved up. I would like to address the really bad ones first.

Tony Jankiewicz asked what if the building owner doesn't agree that he or she wants the tree in there, what happens then?

Don Sherman replied we haven't come up with that yet.

Tony Jankiewicz stated they won't want to pay for it.

Don Sherman replied at this point, we will go down the street to the next one. City Council created a Tree Commission last fall. That is something that the Tree Commission is working on. I will be serving on the Tree Commission. There are a lot of studies out there that say trees in the downtown have been proven to have a positive effect. I know from a business standpoint sometimes you don't like them because they may block the sign. That is why I would like to work with people and put the tree where it fits the business, not just so it is the right spacing. The tree in front of Gibby's is perfectly spaced, but you move it fifteen feet and it moves it out from in front of their door and to a blank space on the wall. To me, it is the ideal place to put it. I don't like asking a business for \$1700.00, but if you try to plant a tree in front you are going to spend a lot more than that by the time you pay for everything and the labor. I read somewhere that there are places that average \$20,000.00 a tree.

Paul Johnson stated John Ankrom was looking in to something before he departed and it was trees in large concrete pots. They could be moved if need be. I think they even experimented with one across from The Savings Bank and in front of the telephone building.

Don Sherman stated I have read about those and the problem with them was that you were very limited to what tree you could plant in the pot. There was also problems with them freezing. The ground just gets so cold and then the tree dies. Even if you had a pot that is 6 foot in diameter and 3 feet high, you know what the frost lines are. You don't have much dirt in there that isn't froze. If you keep the tree small enough, they will survive. He came up with this out here in front of the building and I think it is great. In front of the Post Office, we have one, in front of City Hall and in front of the Masonic Building and it will be years before those trees will get tall enough to cause any problems. If you let them go and you don't top them, for a while they will be below your sign, then they are going to block your sign, then they will be above your sign. They have root guards down both sides. There is room for them to grow lengthwise. They are in a 4 foot open container and then there is 4 foot of brick that they can grow under.

Paul Johnson stated we planted the trees out in front of The Savings Bank and they have a circular root guard that goes all the way around that opening. It then forces the roots down and under and it won't push the sidewalk up.

Barry Boyer stated I will entertain a motion to adjourn.

Tony Jankiewicz motioned to adjourn. All in favor, motion carried. Meeting adjourned.

Submitted by: Kim Hunter