



WILDWOOD

July 19, 2023

MEMORANDUM

To: Wildwood Historic Preservation Commission Members

From: Department of Planning and Parks

Re: Updates Regarding Proposed Changes to the HPC Composition (**Wards – All**)

Cc: The Honorable James R. Bowlin, Mayor
Thomas Lee, City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Melanie Rippetoe, Assistant Director of Planning and Parks
Travis Newberry, Senior Planner

BACKGROUND >>>

In June 2022, the Department proposed to the Historic Preservation Commission that it permanently add one (1) or two (2) youth liaisons to its membership through amendments of its By-Laws and Section 440.020 Historic Preservation Commission of the City of Wildwood Municipal Code. The Commission discussed such amendments at its following meeting in July 2022 and appeared favorable to them, though it was determined at subsequent meetings that additional review and discussion were needed with the City Attorney and City leadership. On a temporary basis, given Nolan Myers had been elected as a Student Route 66 Taskforce Liaison to the Historic Preservation Commission by its members, he continued to participate on it through that mechanism.

The impetus for this initial discussion around youth liaison(s) was the establishment of the Student Route 66 Taskforce serving the Commission's Route 66 revitalization goals (particularly those items around multigenerational engagement), including the planning and design of the proposed Route 66 Roadside Park project, the orchestration of a student design competition, development of promotional videos and materials, and the planning and execution of two (2) themed events: Route 66 Movie Night and Scavenger Hunt. The Taskforce was recognized at the May 8, 2023, City Council meeting for these undertakings.

At the April 2023 Historic Preservation Commission meeting, Members discussed support for adding youth members to the Commission and directed the Department to investigate the matter further with the City Attorney and City Leadership.

At the June 2023, the Department presented recommendations for adding up to two (2) youth members to the Commission, extending voting rights to Commission Liaisons, and adding an Emeritus Advisor position. Members generally supported these recommendations, though feedback indicated a preference for high school-age youth members and a shorter term for the Emeritus Advisor position.

UPDATE >>>

Youth Members

Since the Commission's last discussion, the Department has reviewed a final draft ordinance with the City Attorney and presents it to Commissioners with the following highlights (red indicates a change from what was presented at the June meeting):

- Youth members must be **13** years of age to serve, but under 18 at the time of appointment.
- Youth members must be residents of Wildwood.
- Youth members will serve a one-year term, but may serve a total of three (3) years, upon reappointment.
- Youth members will apply for the position via an application process administered by the Department of Planning, **recommended by the Commission, and will be appointed by the Mayor.**

Commission Liaisons

Given recent changes to the voting rights of Council Liaisons on the Commission, the Department is proposing voting rights also extend to its Board and Commission Liaisons. **It should be noted that, while previously Commission Liaisons were appointed by their respective bodies, this practice conflicts with Section 4.7 of the City Charter, which states "The Mayor with advice and consent of a majority of the members of the City Council shall appoint or recommend removal of all officers and members of committees, boards, and commissions...". Thus, the new draft language addresses this discrepancy.**

Advisor

Finally, after receiving a suggestion from a City Council Member and support from the Commission's Chair, the Department is proposing, with consultation with the City Attorney, giving the Commission authority to designate an advisor to the Commission, defined as "a person with exceptional knowledge, qualifications, and experience, which may include, but is not necessarily limited to, a former Commissioner." This advisor would be permitted to serve the Commission in an advisory capacity by majority vote of the Commission, without compensation.

NEXT STEPS >>>

Draft language proposing amendments to Section 440.020 Historic Preservation Commission has been provided to the Commission for its review and action this evening. To Amend Section 440.020 Historic Preservation Commission, Members must provide a recommendation to City Council for its consideration and action.

The Department recommends the following next steps on this matter, assuming favorable action from the Commission this evening:

1. The recommendation provided by the HPC will be presented to the City Council at its Work Session for its review and direction.
2. The final action on any changes to the current regulations governing this Commission would be introduced as legislation, if supported by the City Council from its review at the Work Session.
3. If legislation is adopted by City Council, the Department will present related amendments to HPC By-Laws for review and action.

If any of the Commission Members should have comments or questions regarding this information, please feel free to contact the Department of Planning and Parks at (636) 458-0440. A presentation is planned on these matters at tonight's meeting. Thank you for your consideration of this information and discussion of the same.

BILL #2762

ORDINANCE #2762

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING SECTION 440.020 OF THE CODE OF ORDINANCES OF THE CITY OF WILDWOOD BY DELETING IT IN ITS ENTIRETY; ENACTING, IN LIEU THEREOF, A NEW SECTION 440.020; AND PROVIDING FOR THE COMPOSITION OF THE HISTORIC PRESERVATION COMMISSION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:

Section One. That Section 440.020 of the Code of Ordinances of the City of Wildwood shall be and it is hereby amended by deleting said Section in its entirety, and enacting, in lieu thereof, a new Section 440.020, to read as follows:

Section 440.020 Historic Preservation Commission.

- A. *Composition Of Historic Preservation Commission.* The Historic Preservation Commission shall consist of a total of eleven (11) members, seven (7) of whom shall be residents of the City of Wildwood for a minimum of one (1) year prior to their appointment, two (2) of whom shall be members of the City Council, one of whom is a member of the Planning and Zoning Commission, and one of which shall be a member of the Architectural Review Board, with each being appointed by the Mayor with the consent of the City Council. As possible, one (1) resident member should be an experienced architect or preservation/restoration professional. Resident Commission members may be active participants in a local or regional historical society or similar local organization dedicated to historic preservation and education. Such a potential member may be offered for nomination by the Mayor, as representing the local historical society or similar organization, so long as the individual chosen meets the requirements of membership to the Commission. The organization shall provide the Mayor a written nomination request of this candidate, including an overview of qualifications. In all cases, the Mayor shall make every reasonable effort to appoint persons with a demonstrated interest and some degree of expertise relative to the history and preservation of the City of Wildwood. The members shall serve without compensation but may be reimbursed for expenses they incur while on Commission business.
 - 1. *Alternate Commission Members.* Two (2) non-voting alternate resident Commission members shall be appointed by the Mayor, with the consent of City Council. These alternate members would be expected to attend Commission meetings, receive routine

training, offer comments on agenda topics, and act as potential replacement(s) for a Commission member who is no longer able to serve. These alternate Commission members shall be considered voting members only when their participation is necessary to constitute a quorum for the meeting, but may not be officers of the Commission in any circumstance.

2. Youth Members. The Mayor may appoint, with the advice and consent of the City Council, u two (2) youth members to the Historic Preservation Commission, after being recommended for such through an application. Youth members shall be at least thirteen (13) years of age at the time of appointment but no older than eighteen (18) years of age, and enrolled in the ninth through the twelfth grade in a public or private school district or homeschooled. Youth members must be residents of the City of Wildwood for a minimum of one (1) year prior to appointment. The youth members shall be appointed to serve for a term of one (1) year and may be reappointed for a total of three (3) terms. Youth members of the Historic Preservation Commission shall sit on the Historic Preservation Commission, but shall not be entitled to vote on any matter before the Historic Preservation Commission.
3. Advisor. The Commission shall be authorized to designate, from time to time, by a majority vote of the Commission, a person with exceptional knowledge, qualifications, and experience, which may include, but is not necessarily limited to, a former Commissioner, to advise the Commission and serve without compensation and at the pleasure of the Commission.

B. *Terms.* The terms of office for the members of the Historic Preservation Commission shall be three (3) years, excepting therefrom:

1. the membership of the first Historic Preservation Commission and the subsequent two (2) members added within this same transition time frame. These transition members shall be appointed to serve terms of one (1) for one (1) year and one (1) for two (2) years. Alternate members shall be appointed to serve terms of three (3) years; and
 2. the Council Members, who shall serve a term of one (1) year, but may be reappointed.
 3. the Planning and Zoning Commission and Architectural Review Board Members, who shall serve on the Commission for a term of no more than one (1) year, but may be reappointed.

Vacancies shall be filled for the remainder of an unexpired term in the same manner as appointments. The Historic Preservation Commission shall hold at least six (6) meetings per year or as directed by the Chair. A quorum shall consist of six (6) of the voting members as set forth above in Subsection A(1) of this Section.

- C. *Meetings.* All meetings of the Historic Preservation Commission shall be open to the public, except as provided by State law. The Historic Preservation Commission shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be public record. Regular meetings of the Historic Preservation Commission should be scheduled monthly and held not less than six (6) times per year. No more than two (2) months should elapse between regular meetings. More frequent meetings may be scheduled by the Chair or requested by the Director of Planning, as needed to address issues or accomplish tasks and projects. Special meetings and/or tours should be scheduled, conducted, recorded, and with notice given, as if a regular meeting.

Section Two. Effective Date. This ordinance shall be in full force and effect on and after its passage and approval.

Section Three. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

Section Four. Severability. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable by a court of competent jurisdiction, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid, is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

This Bill was passed and approved this ____ day of _____, 2023, by the City Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

Presiding Officer

The Honorable James R. Bowlin, Mayor

ATTEST:

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City Clerk

City Clerk

~~BILL #2762~~

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Section 440.020 Historic Preservation Commission.

- A. *Composition Of Historic Preservation Commission.* The Historic Preservation Commission shall consist of a total of ~~nine (9)~~eleven (11) members, seven (7) of whom shall be residents of the City of Wildwood for a minimum of one (1) year prior to their appointment, ~~and two (2) of whom shall be members of the City Council, one of whom is a member of the Planning and Zoning Commission, and one of which shall be a member of the Architectural Review Board,~~ with each being appointed by the Mayor with the consent of the City Council, ~~along with one (1) of whom is a member of the Planning and Zoning Commission and another of whom is a member of the Architectural Review Board, both of which shall be appointed by their respective bodies under their procedures for such.~~ As possible, one (1) resident member should be an experienced architect or preservation/restoration professional. Resident Commission members may be active participants in a local or regional historical society or similar local organization dedicated to historic preservation and education. Such a potential member may be offered for nomination by the Mayor, as representing the local historical society or similar organization, so long as the individual chosen meets the requirements of membership to the Commission. The organization shall provide the Mayor a written nomination request of this candidate, including an overview of qualifications. In all cases, the Mayor shall make every reasonable effort to appoint persons with a demonstrated interest and some degree of expertise relative to the history and preservation of the City of Wildwood. The members shall serve without compensation but may be reimbursed for expenses they incur while on Commission business.

1. ~~Alternate Commission Members. Two (2) non-voting alternate resident Commission members shall be appointed by the Mayor, with the consent of City Council. These alternate members would be expected to attend Commission meetings, receive routine training, offer comments on agenda topics, and act as potential replacement(s) for a Commission member who is no longer able to serve. These alternate Commission members shall be considered voting members only when their participation is necessary to constitute a quorum for the meeting, but may not be officers of the Commission in any circumstance.~~

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2. ~~Youth Members. The Mayor may appoint, with the advice and consent of the City Council, up to two (2) youth members shall be appointed by majority vote of the Historic Preservation Commission, after being recommended for such through an application and selection process administered by the Department of Planning, then presented to City Council for acknowledgment and acceptance. Youth members shall be at least thirteen (13) years of age at the time of appointment but no older than eighteen (18) years of age, and enrolled in the ninth through the twelfth grade in a public or private school district or homeschooled. Youth members must be residents of the City of Wildwood for a minimum of one (1) year prior to appointment. The youth members shall be appointed to serve for a term of one (1) year and may be reappointed for a total of three (3) year terms. Youth members of the Historic Preservation Commission shall sit on the Historic Preservation Commission, but shall not be entitled to vote on any matter before the Historic Preservation Commission.~~

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1-3. ~~Emeritus Advisor. The Commission shall be authorized to designate, from time to time, by a majority vote of the Commission, One (1) former Commissioner a person with exceptional knowledge, qualifications, and experience, which may include, but is not necessarily included limited to, a former Commissioner, but who has reached the mandated term limit under the City's Charter, may continue to serve advise the Commission as its Emeritus Advisor, appointed through a majority vote of the Commission. The Emeritus Advisor and will serve without compensation and at the pleasure of the Commission as a non voting member for no more than a one (1) year term, but may be reappointed thereafter. No more than one (1) Emeritus Advisor shall serve in any given year.~~

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~~2. Liaisons. One (1) non voting liaison from the Planning and Zoning Commission and one (1) non voting liaison from the Architectural Review Board shall be appointed by their respective bodies to serve on the Commission for a term of no more than one (1) year, but may be reappointed.~~

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B. Terms. The terms of office for the members of the Historic Preservation Commission shall be three (3) years, excepting therefrom:

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1. the membership of the first Historic Preservation Commission and the subsequent two (2) members added within this same transition time frame. These transition members shall be appointed to serve terms of one (1) for one (1) year and one (1) for two (2) years. Alternate members shall be appointed to serve terms of three (3) years; and

2.

~~2. the Council Members, who shall serve a term of one (1) year, but may be reappointed.~~

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~~3. the Planning and Zoning Commission and Architectural Review Board Members, who shall serve on the Commission for a term of no more than one (1) year, but may be reappointed under the respective procedures of their appointments.~~

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Vacancies shall be filled for the remainder of an unexpired term in the same manner as appointments. The Historic Preservation Commission shall hold at least six (6) meetings per year or as directed by the Chair. A quorum shall consist of ~~four (4)~~ six (6) of the voting members, ~~which excludes the non voting youth members who do not count towards it,~~ as set forth above in Subsection A(12) of this Section.

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This Bill was passed and approved this ____ day of _____, 202~~32~~, by the City Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

Presiding Officer

The Honorable James R. Bowlin, Mayor

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