



## **Minutes**

**Whitewater Landmarks Commission  
Thursday, February 4, 2016 – 6:00 PM  
Municipal Building, City Council Chambers  
312 Whitewater Street, Whitewater, WI 53190**

### **Call to Order**

- Call to Order and roll call  
Vice-chair Oberle called the meeting to order at 6:30 PM.  
Present: Kori Oberle, Suzanne Haselow, Ken Kienbaum, Richard Helmick  
Absent: Patricia Blackmer, Dan Richardson, James Langnes III  
Staff present: Alan Lockett
- Approval of Agenda  
Oberle requested that agenda item: “Continue discussion and prioritize items on which the Landmarks Commission should focus over the next five years” be moved from first item under unfinished business to end of meeting after new business has been completed; will discuss if time permits, otherwise postpone until March meeting.  
MSC Oberle/Haselow to approve the amended agenda.  
Ayes: Oberle, Haselow, Kienbaum, Helmick  
Nays: None  
Abstain: None
- Approval of Minutes – January 7, 2016  
MSC Helmick/Haselow to approve the minutes as posted.  
Ayes: Oberle, Haselow, Kienbaum, Helmick  
Nays: None  
Abstain: None
- Set date and time of next meeting – Thursday, March 3, 2016 - 6:00 PM  
The next meeting will occur on Thursday, March 3, 2016 at 6:00 PM in the city manager’s conference room.
- Hear Citizen Comments: No formal Landmarks Commission Action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking

period. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Commission discusses that particular item.  
There were no citizen comments.

## **Reports**

- Whitewater Effigy Mounds Preserve (Helmick/Oberle)
  - Friends of Preserve: 33 people attended the public info meeting on Feb 1 at public library on bringing back prairies; event was cosponsored with UFC; Commissioners Blackmer, Helmick, Oberle attended.
  - Preservation: Archaeologists/surveyors have been paid \$300 by Parks & Rec Dept. for their work on Dec 6, 2015, surveying the panther mound near the entrance to the preserve.
  - Signage: Item will be discussed later in meeting under unfinished business.
  
- Birge Fountain Condition Report (Luckett)
  - The Birge Fountain Committee met on December 8, 2015 in Luckett's office. The City Council representative will be unable to meet during the mornings. Moving the meeting time is being considered.
  - Brian Neumeister will be looking into the maintenance of the basin lights.
  - Blackmer requested the following note be read to the Commission.

"The Birge Fountain is deteriorating rapidly. The basins are in need of repair, painting needs to be done and the Maid of the Mist is no longer lighted. I contacted Chuck Nass and discussed the lighting issue but he never got back to me. I asked Alan to contact him which he did and Nass replied that there is a short in the wiring and that is why the lights are out. It is still not lit and poses a safety concern for the fountain itself."
  
- Report on status of city owned property monitored by Landmarks Commission, Part 3 (Blackmer)

Blackmer requested that the following note be read to the Commission.

"We need to have the cherubs moved out of private storage to City storage. Nass indicated that his department would build cabinets to house the cherubs. I would like the cherubs reunited with the Made of the Mist if there is adequate room in the basement of the White Memorial Building. I did approach the Arts Alliance about storing them in their facility and they feel they do not have adequate space to do so. Apparently, they have been asked to house the Engebretsen/Dorr miniature house."
  
- Report by Haselow on progress of May event for presentation of plaques/ceremony  
The library room has been reserved for two, different Saturdays, May 7<sup>th</sup> and May 14<sup>th</sup>. Haselow thinks it is a good venue due to the kitchen and availability of parking. Oberle suggested that the 14<sup>th</sup> would be a better date to avoid possible conflicts with the end of classes at UWW graduation and Mother's Day. Previously, Blackmer had suggested that the event be held at the CAC. Unfortunately, their schedule for May is already filled. Haselow will contact McDarison to see if she would be able to attend the May 14<sup>th</sup> date. Blackmer and Richardson have volunteered to make invitations and have them delivered to the property owners and city officials. The general public will be invited through press releases. Kienbaum again stated that the Sweetspot and the Black Sheep were both willing to provide donations of food. Haselow suggested that this item wait until she has a better idea of the number of guests that would be expected. Helmick reminded the members that Haselow and Blackmer were co-chairing this event and should arrange the details.

### **Unfinished Business**

- Continue discussion and prioritize items on which the Landmarks Commission should focus over the next five years. Item tabled for a future meeting.
- Mounds Preserve signage project update (Oberle/Kienbaum)  
Kienbaum hopes that the boulders will be ready to be moved soon. Oberle volunteered to help locate the boulders. Previously, it was decided that they would be delivered to the city garage. At the garage, they would be fitted with informational plaques. Then, when ground conditions are favorable, the boulders would be placed at the Preserve. If the plaques are not attached at the garage, they will be attached once the boulders are placed. This option more readily preserves the plaques from possible damage.
- Update Landmark's/City web site to include Armory and Starin Park Water Tower
  - A formal letter of status of both properties will be submitted to the City Clerk. Once that is done, Luckett will place them on the city web site. Some other items (minutes and agendas) also need to be added to the site. Popke is still listed as a member of the Commission. Also noted is that the Armory is not listed as a city landmark on the web site.
  - Daniel Richardson has been appointed by the City Council to the Landmarks Commission.
  - There still are some glitches in accessing the interactive map on the city's web site. Luckett has been trying to coordinate changes with Eric Compass from UWW. Additionally, the new properties, with thumb nail descriptions, need to be added to Landmark status need to be placed on the map.

### **New Business**

- Request from Melinda Roberts (Wisconsin Historical Markers blogspot) to use the content of our Landmarks brochure on her website.  
Blackmer requested the following note be read to the Commission.  
From Melinda's email to Blackmer: "I would use the content from the brochure on my website, with links back to the commission and showing permission for use. I would like to use the appropriate paragraph from the pamphlet on each post."  
Discussion ensued. The Landmarks Commission will request that credit read "Courtesy of Whitewater Landmarks Commission."
- Grant money for survey of Effigy Mounds Preserve (appoint committee to work on grant preparation)  
Oberle requested that this item be postponed until our next meeting to afford Blackmer and Richardson an opportunity to join the discussion and share information.
- Committee to work on May Preservation/Archeological display at library.  
Blackmer has noted that the large, library showcase has been reserved for the month of May. Volunteers are still needed to help design and set up the information to be displayed. Set up will be on May 2; take down on May 30. Discussion ensued on the theme to be used. Luckett suggested a display on the "Lost Treasures of Whitewater." Luckett, Oberle, and Helmick will be on the display committee.

### **Future Agenda Items**

- The need for a City Council representative on the Landmarks Commission.

- Discussion and prioritize items on which the Landmarks Commission should focus over the next five years.

### **Good of the Order**

- Assembly Bill 620 is attached. The bill, as proposed, considers many changes for Landmarks Commissions, as well as the status of effigy mounds, in the state. This bill may be presented for adoption by the legislature this year.
- Richardson has volunteered to start a photographic inventory of historic homes in Whitewater. He will be discussing this at the March meeting.
- Whitewater Community TV will be hosting a digital story time. People will tell stories referring to specific locations and/or buildings in Whitewater. The stories will be screened sometime in May. An application process will be forth coming.
- The Jefferson County Fire Department has a drone. It may be possible to use it to help map the Effigy Mounds Preserve and the locations of the mounds.
- Patrick Singer, Whitewater City Council president, has requested that all the city's commission and boards review the necessity of having a council representative. He has been invited to the March meeting to share his thoughts on this.

### **Adjournment**

Vice chair Oberle adjourned the meeting at 8:15 PM.

Respectfully submitted  
Richard Helmick, secretary

2015 - 2016 LEGISLATURE

## 2015 ASSEMBLY BILL 620

December 29, 2015 - Introduced by Representatives R. BROOKS, GANNON, ALLEN, BORN, CZAJA, KNODL, SWEARINGEN, VORPAGEL and SANFELIPPO, cosponsored by Senators KAPENGA and STROEBEL. Referred to Committee on Environment and Forestry.

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**AN ACT** *to amend* 157.70 (2r) and 157.70 (5) (a); and *to create* 157.70 (5g) and 157.70 (5r) of the statutes; **relating to:** requirements for cataloged burial sites.

### *Analysis by the Legislative Reference Bureau*

This bill establishes a procedure for owners of burial sites that are currently cataloged by the director of the State Historical Society and owners of certain land contiguous to cataloged burial sites to challenge the existence of human remains in the burial site. Current law requires the director to identify and record in a catalog burial sites and, for land not platted for use as a cemetery, sufficient contiguous land necessary to protect burial sites from disturbance. Subject to certain exceptions, the disturbance of burial sites and cataloged land contiguous to burial sites is prohibited.

Under the bill, the director must issue a permit for the investigation of a cataloged burial site to the owner of the burial site or to the owner of cataloged land contiguous to the burial site if the burial site was cataloged before the date the bill becomes law and the owner disputes the existence of human remains in the burial site and applies for a permit. An owner issued a permit under the bill may, at the owner's own expense, investigate the site for evidence of human remains using investigational methods set forth in the bill. If the investigation finds no evidence of human remains in the burial site, the director is required to remove the burial site and contiguous land from the catalog.

For land that is cataloged on or after the date on which the bill becomes law, the bill provides that no burial site on private property and no private land that is contiguous to a burial site may be cataloged unless the director establishes that human remains are present in the burial site based on investigational methods set forth in the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

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**SECTION 1.** 157.70 (2r) of the statutes is amended to read:  
157.70 (2r) **SITE DISTURBANCE PROHIBITED.** Except as provided under subs. (4) and (5), (5g), and (5r) and ss. 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or cataloged land contiguous to a cataloged burial site. This subsection does not prohibit normal agricultural or silvicultural practices which do not disturb the human remains in a burial site or the surface characteristics of a burial site.

**SECTION 2.** 157.70 (5) (a) of the statutes is amended to read:  
157.70 (5) (a) ~~No~~ **Except as provided under subs. (5g) and (5r),** no person may intentionally cause or permit the disturbance of a cataloged burial site or the cataloged land contiguous to a cataloged burial site without a permit from the director issued under this subsection.

**SECTION 3.** 157.70 (5g) of the statutes is created to read:  
157.70 (5g) **INVESTIGATIONS OF CERTAIN CATALOGED BURIAL SITES.** (a) The director shall issue a permit for the investigation of a cataloged burial site under par. (b) to the owner of that burial site or to the owner of cataloged land contiguous to that burial site within 30 days after receiving an application for a permit under this subsection if all of the following conditions are satisfied:

1. The burial site was cataloged before the effective date of this paragraph .... [LRB inserts date].

2. The owner disputes the existence of human remains in the burial site and applies for a permit under this subsection.

(b) An owner issued a permit under par. (a) may, at the owner's own expense, investigate the burial site for evidence of human remains using ground-penetrating radar, other imaging technology, or archaeological excavation and examination. The historical society shall provide the owner with a list of archaeologists and imaging technicians approved by the historical society, and the investigation under this paragraph shall be conducted by an archaeologist or imaging technician chosen by the owner from that list.

(c) If an investigation under par. (b) finds no evidence of human remains in the burial site, the director shall remove the burial site and the cataloged land contiguous to the burial site from the catalog.

**SECTION 4.** 157.70 (5r) of the statutes is created to read:  
157.70 (5r) **EVIDENCE OF HUMAN REMAINS REQUIRED.** No burial site on private property and no private land that is contiguous to a burial site may be cataloged on or after the effective date of this subsection .... [LRB inserts date], unless the director establishes that human remains are present in the burial site through written historical records corroborated by the results of ground-penetrating radar, other imaging technology, or archaeological excavation and examination.

(END)