

**HISTORIC PRESERVATION COMMISSION**  
**6:00 P.M.**  
**MONDAY, DECEMBER 2, 2024**  
**SCHIEFFELIN HALL**  
**(CORNER OF FREMONT AND FOURTH STREET)**

- I. CALL TO ORDER** Vice Chairman Burton Webster called the Historic Preservation Commission Meeting to order on Monday, December 2, 2024 at 6:00 PM.
- II. PLEDGE OF ALLEGIANCE** Vice Chairman Burton Webster led the Commission in a recitation of the Pledge of Allegiance.
- III. ROLL CALL**
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|-------------------------------|---------|
| Chairman David Bales          | Absent  |
| Vice Chairman Burton Webster  | Present |
| Commissioner Rebecca Larsen   | Present |
| Commissioner Robert Davenport | Present |
| Commissioner Kenn Barrett     | Present |
| Commissioner Jim Newbauer     | Present |
- Also, in attendance: Secretary Cora Nell Osgood

**IV. APPROVAL OF MINUTES**

**DISCUSSION AND/OR ACTION:** Approval of minutes for Historic Preservation Commission from Monday, October 7, 2024.

**MOTION** by Commissioner Davenport **SECOND** by Commissioner Larsen, to table the minutes for Historic Preservation Commission from Monday, October 7, 2024.

**DISCUSSION:** A copy of minutes was not provided for commission members to review.

**VOTE:** 5 YES/0 NO/1 Absent

**MOTION:** Carried

**V. NEW BUSINESS**

**A. DISCUSSION AND/OR ACTION:** Approval of Certificate of Appropriateness 2024-15 for Kimberly Pierce's Peddle Pub Conveyance.

**MOTION** by Commissioner Barrett, **SECOND** by Commissioner Davenport, to table Certificate of Appropriateness 2024-15 for Kimberly Pierce's Peddle Pub Conveyance until commission's recommendations and concerns are addressed.

**DISCUSSION:**

The following points, concerns, and recommendations were brought up by the commission:

1. That the peddle bike is not historically accurate in appearance, appears modern for being on Allen Street. Kimberly Pearce argues, that they vehicle will be in the historic district no more than 15 minutes, and there were no trolley in the 1880s either. Vice Chairman Webster recommends that she covers the metal his historic material to help with the look. Commissioner Larsen recommends that Kimberly submits a drawing of the peddle bike as it would appear once all updates and changes are made.
2. That the peddle bike is considered a motorized quadricycle/commercial motor vehicle and motorized vehicles are not allowed on Allen Street between 3<sup>rd</sup> and 6<sup>th</sup> Street, except for emergency vehicles. Owner Kim Pearce, says it is only powered by peddling but is considered motorized under the Arizona Statute.
3. Peddle bike will be only operate after 5 pm or after the stagecoaches are off the street. Kimberly Pearce says it will most likely only operate on weekends or when booked. She does not want to cause harm to the horses.

4. This form of transportation falls under the taxi/limo exception to the open container law. Riders are allowed to bring on and take off closed containers and enjoy their beverages while on the peddle bike.
5. Commission is not familiar with the statutes and is waiting on clarification from the Marshal's office. They trust Kimberly Pearce's interpretation, but is seeking clarification from the Marshal.

**VOTE:** 5 YES/0 NO/1 ABSENT

**MOTION:** Carried

## **VI. NON-ACTION ITEMS**

### **A. SET DATE TO REVIEW APPLICATION(S) FOR EMPTY SEATS ON COMMISSION**

There were two empty seats. Jim Newbauer has completed an application, the mayor accepted, and has appointed him to fill one of the seats. There are no further applications for the second seat that was vacated by the resignation of Dave Bales. When more applications are received the commission can set a date to review.

With the resignation of Dave Bales the commission must select a new Chairman. Commissioner Larsen recommended Jim Newbauer, and commission members in attendance agreed. Burton Webster shall remain as Vice Chairman.

### **B. CURRENT EVENTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS FOR ACTION:**

Commissions discussed the following:

1. Commissioner Larsen is concerned about what liability the city will have of damages caused by the peddle bike.
2. Commissioner Barrett points out a typo on the map that is provided of the historic district.
3. Commissioner Davenport reviews the operating hours of the peddle bike.
4. Commissioner Newbauer is concerned of the precedent that allowing one commercial vehicle on Allen Street will set, and that it might lead to others wanting to do the same thing. It is the goal to keep the historic status and not to reopen Allen Street. Commissioner Barrett reminds the commission that just because they approve one permit, does not require all permits to be approved.
5. Commissioner Larsen is concerned of who is liable when the rules and laws are broken by the riders, for example bringing an open water bottle on that does not contain the allowed alcohol beverages.
6. Vice Chairman Webster wants to know when the violations that have been submitted will be addressed by the city, as none of the ones that were turned in to the building inspector last year have been fixed. He feels if these violations are not addressed then there is no point of the commission to meet.

## **VII. MOTION TO ADJOURN**

**MOTION** to adjourn by Commissioner Barrett, **SECOND** by Commissioner Larsen. The Historic Preservation Commission adjourned the December 2, 2024.

**VOTE:** 5 YES/0 NO/1 ABSENT

**MOTION:** Carried

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Burton Webster, Vice Chairman