

Historic Preservation Commission of the City of Angola

Rules and Procedures

Article 1 Name, Purpose, Powers, and Jurisdiction

- 1.1 Establishment: The Historic Preservation Commission of the City of Angola was established by City of Angola Common Council Ordinance 1247-2006. [IC 36-7-11-4]
- 1.2 Name: The name of the Commission shall be the Historic Preservation Commission of the City of Angola, herein after referred to as HPC. Its office shall be located in the Angola City Hall at 210 N Public Square, Angola Indiana 46703.
- 1.3 Intent: The intent of the HPC is to provide a means to promote the cultural, economic, and general welfare of the public through the preservation and protection of structures and areas of historic and cultural interest within the City of Angola. [AMC 1247-2006]
- 1.4 Purpose: Purpose of historic preservation and protection: in order to promote the educational, cultural and general welfare of the citizens of Angola and to insure the harmonious and orderly growth and development of the municipality; to maintain established residential neighborhoods in danger of having their distinctiveness destroyed; to enhance property values and attract new residents; to ensure the viability of the traditional downtown area and to enhance tourism within the City of Angola; it is deemed essential by the City of Angola that qualities relating to its history and harmonious outward appearance of its structures be preserved. This purpose is advanced through the restoration and preservation of historic areas and buildings, the construction of compatible new buildings where appropriate, and the maintenance and insurance of compatibility in regards to style, form, proportion, texture, and material between historic buildings and those of contemporary design. It is the intention of the City of Angola through this chapter to preserve and protect historic and architecturally worthy buildings, structures, sites, monuments, streetscapes, and neighborhoods which impart a distinct aesthetic quality to the city and serve as visible reminders of its historic heritage. [Ord. 1247-2006, AMC 15.25.010]
- 1.5 Powers and Duties: The powers and duties of the HPC are specific and set out in Indiana Code 36-7-11-4.3 through Indiana Code 36-7-11-23 and AMC 15.25 as amended from time to time.
 - A. The HPC render decisions concerning:
 - i. Those elements of development, redevelopment, rehabilitation, and preservation that affect visual quality in the historic district [IC 36-7-11-5].
 - ii. Establish maps of historic districts including classification of historic buildings and structures [IC 36-7-11-6] and confirmed by Common Council.
- 1.6 Jurisdiction: The jurisdiction of the HPC shall be the City of Angola Downtown commercial historic district [AMC 15.25.055], as amended.

Article 2 Meetings

- 2.1 Governance: The HPC shall be governed by the terms of the Historic Preservation Ordinance, as contained in the City of Angola Municipal Code, Chapter 15.25 Historic Preservation, which in turn based on the State of Indiana enabling Act, IC 36-7-11. For procedures not covered by these rules, the HPC shall follow Robert's Rules of Order.
- 2.2 Regular Meetings: The HPC shall meet on the first Tuesday of each month [IC 36-7-11-4]. The HPC shall elect officers at its first regularly scheduled meeting of each year. Regular meetings may be canceled if there is no business by the HPC Chair and Commission Administrator.
- 2.3 Special Meetings: All other meetings of the HPC, which are not regular meetings, shall be designated as special meetings. All notices required by the Open Door Law of the State of Indiana [IC 5-14-1.5] shall be complied with in calling a special meeting.
- A. The Chair, Commission Administrator, or two (2) members of the HPC upon written request to the Commission Administrator may call a special meeting. The Commission Administrator shall contact Staff, and Staff shall give notice of the special meeting to all members, at least seventy-two (72) hours before the special meeting. The notice shall include time, place, and subject matter of the meeting. The notice may be delivered in person, by phone, by email, by text, by fax, or by regular United States mail. This notice shall not be required if the date, time, and place of the special meeting has been fixed at a regular meeting.
- B. An applicant may request a special meeting. Staff shall work to coordinate a time that will allow for adequate notice, but works with the applicant's timeframe and ensures satisfactory member attendance.
- 2.4 Place of Meeting: The HPC meetings shall take place in the Angola City Hall at 210 N Public Square, Angola Indiana. The Chair may change the date, time, or place of a regular meeting provided that notice of said change is given to all members, interested parties, and the public.
- 2.5 Notice of Meetings: Notice of meetings shall be given to all members of the HPC in person, by phone, by e-mail, by text, by fax, or by regular United States mail. News media entitled to notice shall be notified by United States mail, fax, telephone, or e-mail. All notices that are required to be posted shall be posted in City Hall. Staff, on behalf of the Commission Administrator, shall be responsible for providing meeting notices in a timely manner.
- 2.6 Minutes of Meetings: The HPC shall keep minutes of each meeting. The minutes shall document each member's vote; capture the essence of the discussion and deliberations; and capture the essence of public input including each speaker's name and address. These minutes shall be presented to the Historic Preservation Commission at a subsequent meeting for approval. When approved, the minutes shall be signed by the Commission Administrator and kept in the HPC minute book in the Historic Preservation Commission office.
- 2.7 Meeting Packets: Staff shall distribute meeting packets including agendas, application, supporting material, and other necessary meeting information to the HPC members prior to the meeting.

- 2.8 Order of Business: The following order of business shall be followed at all meetings of the HPC.
- A. Call to Order
 - B. Roll Call
 - C. Determination of Quorum
 - D. Approval of Minutes
 - E. Agenda Modification
 - F. Old Business
 - G. New Business
 - H. Other Business
 - I. Reports
 - J. Adjournment
- 2.9 Quorum and Official Action: The HPC is currently a seven (7) member board. A majority of the HPC that is qualified to vote, four (4) members, shall constitute a quorum. Action of the HPC is not official unless authorized at a regular or special meeting by a majority of the entire membership of the HPC.
- 2.10 Late Night Meeting Policy: It shall be the policy of the HPC to conclude all meetings at or before 8:00 PM. In the event that agenda items or other Commission matters have not been acted on by 8:00 PM on any meeting day, the meeting shall be recessed and reconvened the following evening, in the same location at 5:30 PM, unless otherwise announced. All items or matters not acted on during the recessed meeting may be acted on during the reconvened meeting without further advertisement. The above notwithstanding, the HPC may extend any meeting beyond the hour of 8:00 PM with a vote of at least three-fourths ($\frac{3}{4}$) of all members present provided a quorum of the Commission exists.
- 2.11 Onsite Inspections: Onsite inspections of property involved in an application before the HPC shall not be considered a regular meeting or a special meeting. No notice is required. No official action or informal votes shall take place. Onsite visits must be made by less than a quorum of members – however members making a site visit shall not discuss anything about the site visit outside of a public meeting. Onsite visits may also be made by the Staff.

Article 3 Membership and Officers

- 3.1 Membership: The HPC membership shall be consistent with the provisions of Indiana Code 36-7-11-4 and AMC 15.25.030, as amended from time to time.
- 3.2 Chair: Every year, the HPC shall elect from its membership a chair who shall preside at all meetings and decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the HPC in session at the time. The chair shall be a voting member and eligible for re-election.
- 3.3 Vice-Chair: Every year, the HPC shall elect from its membership a vice-chair who shall perform the duties of the chair in the absence or disability of the chair. The vice-chair shall be a voting member and eligible for re-election.

- 3.4 Treasurer: Every year, the HPC shall elect from its membership a treasurer who shall be the custodian of funds of the HPC. The treasurer shall collect all funds of the HPC and shall—disburse all moneys of the HPC in accordance with the instructions of the Chair and Commission Administrator. The treasurer shall keep full and accurate accounts, shall present financial statements, and shall prepare, sign and file all reports required by law. The treasurer’s accounts shall be examined annually by an outside auditor, who, once satisfied that the treasurer’s annual report is correct, shall sign a statement to that effect at the end of the report.
- 3.5 Commission Administrator: The City of Angola Mayor shall designate staff to serve as Commission Administrator. The administrator shall provide staff assistance to the Commission, and act as the Commission’s secretary. The staff shall consult with applicants for Certificates of Appropriateness prior to their appearance before the board, and shall present written analyses to the board. The staff shall make presentations and reports to the HPC and follow up on other actions as determined by the HPC. The staff shall not be eligible to vote on matters which come before the HPC in any regular or special meeting.
- 3.6 Staff: Staff shall be any employee within the City of Angola Economic Development & Planning Department.
- 3.7 Conflict of Interest:
- A. No member of the HPC shall participate in the decision of the HPC in which the member has a direct or indirect financial interest or is aware of circumstances that would prevent the member from considering an application in a fair and unbiased manner. In the event of such disqualification, such fact shall be entered into the records of the HPC along with name of the alternate member, if any, who participates in the hearing in place of the regular member.
 - B. If the Chair disqualifies themselves for any reason and the Vice-Chair is absent or unavailable, the Chair shall have the power to appoint another member of the HPC as temporary Chair for the purpose of conducting the meeting. The temporary Chair retains their right to vote, and the regular Chair shall be counted in determining whether or not a quorum is present.
- 3.8 Voting:
- A. Each member of the HPC shall have one (1) vote.
 - B. Decisions of the HPC shall be by voice vote unless a paper ballot is requested by a member of the HPC. In the case of a paper ballot vote, the Chair shall disclose the vote of each member when announcing the decision.
 - C. All members present shall vote on every matter unless prevented by conflict.
- 3.9 Vacancies: If a vacancy occurs among the HPC members who are appointed, then the appointing authority shall appoint a member for the unexpired term of the vacating member.
- 3.10 Communication:
- A. Open Door Law: All communication outside of HPC meetings shall be in accordance with IC 5-14-1.5 (Indiana Open Door Law) as amended.
 - B. Official Communication with Members: Any official communication by Staff to members of the HPC shall be made via US Mail, email, text, phone, or face-to-face.

- C. **Communication with HPC Member Outside Meetings:** Should communication about an application take place outside of the public meeting or hearing, the HPC member shall disclose this communication and relay pertinent information to the HPC members at the public meeting or hearing. This includes any communication with the applicant, adjacent or affected property owners, general public, and/or any other HPC or committee members. The same policy shall be observed for HPC members in regard to business before any committee of the HPC. HPC members are encouraged to have anyone with concerns or questions about an application contact Commission Administrator or attend the public meeting or hearing.

Article 4 Final Disposition of Cases

4.1 Final Disposition:

- A. The disposition of cases requiring final approval from the City of Angola Common Council shall be in the form of a recommendation to the Council.
- B. The final disposition of cases requiring only HPC approval shall set forth the determinations of the HPC, together with any modification, specification, condition, or limitation it makes in the HPC minutes.

4.2 No Show: The HPC may dismiss an application if no one shows up to present the request. If an application is dismissed for this reason, the applicant may re-file.

4.3 Withdraw of Application: An Applicant may not withdraw a case after a motion has been made concerning the application.

Article 5 Budget

5.1 Budget: The HPC, by and through its Treasurer, shall work with the City of Angola Clerk-Treasurer to prepare an annual budget and submit the same to Council at budget time.

Article 6 Amendment and Conflicting Statutes

6.1 Amendment: These Rules and Procedures shall be amended by two-thirds (2/3) of the membership at any regular meeting or special meeting called for the purpose of amending the Rules and Procedures of the HPC.

6.2 Powers and Duties: The powers and duties of the HPC are contained in State Statutes enacted and promulgated by the State of Indiana. If any statute of the State of Indiana conflicts with these Rules and Procedures, then the provisions of said statute shall control unless said Rules and Procedures create a stricter provision than those contained in said statutes. If the State Statutes, which are incorporated in these Rules and Procedures, are amended by the legislature, then these Rules and Procedures shall be automatically amended to conform to the provisions of said statutes. The Chair of the HPC shall have the Rules and Procedures reviewed regularly by legal counsel in order to keep them current.

- 6.3 Incorporation by Reference: All statutes of the State of Indiana and amendments concerning historic preservation commissions, which are not specifically incorporate in these Rules and Procedures are hereby incorporated by reference as part of the Rules and Procedures of the HPC.

Adopted by the Historic Preservation Commission of the City of Angola on this 07 day of MARCH, 2023.

City of Angola Historic Preservation Commission Rules and Procedures
Table of Amendments

HPC Approval	Article Affected	Brief Description of Changes
03.07.2023		Initial Adoption