



# The Network an E-Newsletter for Ohio's Certified Local Governments

Ohio Historic  
Preservation Office

The Network

April/May 2005

## Galion, Ohio's 40<sup>th</sup> Certified Local Government



*View of Central Hotel, Main Street, Galion*

Congratulations to Galion on becoming Ohio's 40<sup>th</sup> Certified Local Government. Galion is located in the heart of central Ohio, 15 miles west of Mansfield and about equidistant from Cleveland and Columbus. Galion was founded in 1821, by Asa Hosford, a local mill owner and was initially called Goshen. The postmaster later changed it to Galion.

Galion was initially settled around the Columbus-Sandusky Road but later development was focused in the area where the town square is now located. In 1831 Galion reached the status of a village and was platted with thirty-five lots by Michael and Jacob Ruhl. Galion grew during the 1830's with the arrival of a number of German families. The first church in Galion was the German United Methodist Church built in 1839.

Asa Hosford's beneficence toward Galion continued during the mid nineteenth century when he was elected to the state legislature and succeeded in getting the Cleveland, Columbus and Cincinnati Railroad to pass

through Galion in 1851. Galion's future became even more intimately tied to the railroad in December 1900, when the Cleveland, Chicago, Cincinnati and St. Louis Railroad (the Big four) dedicated its depot and established a

division headquarters. All Big Four trains stopped in Galion to change crews and the city was the only stop between Cleveland and Columbus. During World War I 32 trains a day stopped in Galion. In 1932 over 10,000 trains passed through Galion. The significance of the Galion depot is also evident in the number of presidential candidates who stopped here and made speeches from train platforms, including Al Smith, Franklin D. Roosevelt, Dwight Eisenhower and Richard Nixon. The railroad offices were closed and the depot was vacated during the 1960's. However, the landmark building remains and is today being restored as a community center.

With the downturn of heavy manufacturing in the 1970's, the loss of a large electro-mechanical switching company and the construction of malls and shopping centers in nearby Mansfield and Marion, Galion's downtown declined. However, with the help

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### MARK YOUR CALENDARS!

- Building Doctors visit Zanesville April 14-15.
- Building Doctors visit Sandusky May 5-6

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of the Ohio Main Street Program, today downtown Galion is undergoing a significant revitalization. Public Square is being totally renovated and 39 buildings are participating in some form of visual or structural rehabilitation. The downtown boasts a healthy retail mix of specialty and antique shops and is beginning to draw event and heritage tourists.

Perhaps the most exciting downtown project is the rehabilitation of the long derelict historic Central Hotel Building. This historic tax credit project will provide 30 Senior Citizen Apartments. Equally important for the fu-



*Future community room Central Hotel project, Galion.*

ture of Galion it will mean that people will once again be living downtown.

## Preservation Month 2005 Focuses on Communities at a Crossroads

May is Preservation Month and the National Trust for Historic Preservation is seeking submissions for its national online **Preservation Month Calendar of Events**. This year's theme is *Restore America: Communities at a Crossroads*. During the month of May the Trust and its many

partners will focus on **preservation at home, heritage travel, heritage education and the diversity of preservation**. To learn more about these topics, or to submit activities and events to the online calendar, visit [www.nationaltrust.org](http://www.nationaltrust.org).

## Don't Just Watch if Fall Down — Counteracting Demolition by Neglect through Minimum Maintenance

**Recently our office has been contacted by several communities looking for ways to counteract “demolition by neglect” by mandating a minimum level of maintenance in historic districts.**

Demolition by neglect is a serious threat both to historic resources and to the integrity and effectiveness of local historic preservation boards and commissions. To counter this threat, communities should adopt minimum maintenance ordinances, also referred to as “anti-neglect” or “affirmative maintenance” ordinances, or should amend existing preservation legislation to include minimum maintenance provisions. Minimum Maintenance ordi-

nances can be an effective and legally defensible response to the problem of demolition by neglect if they:

- Specify prohibited conditions of deterioration
- Provide adequate enforcement procedures
- Contain some mechanism for addressing cases of extreme hardship

Buildings suffer from demolition by neglect for several reasons. Property owners may have been denied a demolition permit or may simply attempt to avoid the permit process by refusing to maintain their buildings. Disinvestments and absentee ownership may also contribute to the

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problem. However, the result is the same. If buildings are not maintained they eventually become a health or safety hazard and may be condemned by local health or building officials. The principal mechanism for combating demolition is legislation requiring that historic buildings be maintained in the designated area. To be effective however, the ordinance must adequately define proper maintenance and must be enforced.

### What to Include in the Ordinance



Minimum maintenance provisions sometimes require historic buildings to be maintained in accordance with local building or housing codes. However, this assumes the local building

code is adequate and that a building will not be lost before it reaches a point of deterioration at which the building code mandates repair. In addition, not all building codes are consistent or compatible with the character of historic buildings. Tying a maintenance provision to a local building code works best if the local code parallels or incorporates certain provisions of the National Existing Structures Code (NESC). Among other things, NESC requires exterior walls, roofs, stairs, porches and window and doorframes to be maintained in a weatherproof condition. The NESC code even requires that cornices, entablatures, wall facings and similar decorative features be maintained. Other ordinances go further, specifying a general level of maintenance, the conditions of deterioration that are not permitted and the defects that must be repaired. Some ordinances contain a catchall provision forbidding deterioration that adversely affects the overall character of an individual building or the district in which the building is located.

### Enforcement is Key

No matter how well written a minimum maintenance ordinance is, to be effective it must provide for enforcement of the mandates it contains. A strongly worded ordinance may fail to stop demolition by neglect if its enforcement provisions are insufficient. The ordinance should specify:

- Procedures for notice to a property owner in the case of a violation
- The time period given the owner to remedy a violation
- The consequences of failure to remedy a violation

### Paying for Violations

When considering penalties for violations of the ordinance, consider the following:

In the case of fines, minimum maintenance ordinances may be ignored if the fines for violating its provisions are too low. It may be cheaper to do nothing and pay the fine than to pay to make repairs.

Criminal sanctions may also be ineffective since judges are often reluctant to impose sanctions for failure to maintain buildings. Increasing fines for violations and establishing separate fines for each day of violation may help address the above problems.

### Other Enforcement Strategies

Although usually limited by the availability of funds, acquiring a badly deteriorated building in order to prevent its destruction may also be a useful tool. Another option is to make the repairs and then recover the cost through a private action or by attaching a lien on the property in the amount of the repairs. Of course either of these strategies should be clearly stated in the ordinance as part of the enforcement process.



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### **Challenges to the Legality of Minimum Maintenance Ordinances**

Courts have consistently recognized historic preservation as a legitimate governmental purpose and minimum maintenance provisions as a valid means of achieving this purpose. The main question regarding the legality of minimum maintenance provisions is whether their requirements constitute a taking of private property for public purpose without payment of just compensation. Most courts have consistently held that requiring an owner to make repairs to their building does not render it a taking as long as the minimum maintenance provisions are not “unduly oppressive.” A court is most likely to determine minimum maintenance to be a taking if the property owner lacks the financial resources to pay for repairs or if the repair costs exceed the market value of the property. Therefore, a minimum maintenance ordinance should contain some provision for hardship cases.

In order to adequately monitor the legitimacy of hardship claims, boards and commissions must be aware of an owners financial resources, the cost of repairs, the current value of the property and the potential uses of the property. If hardship claims appear to be legitimate, communities may need to acquire the property, provide for some financial assistance or exempt the owner from the regulation.

As with all local preservation issues, it is important to obtain local citizen input before implementing minimum maintenance regulations. Minimum Maintenance language or sample ordinances are available at the Ohio Historic Preservation Office.

Much of the content of the above article was taken from “Counteracting Demolition by Neglect: Effective Regulations for Historic District Ordinances, by Oliver A. Pollard, III, *The Alliance Review*, winter, 1990.

### **Our Doctor’s Make House Calls The Ohio Historical Society Announces 2005 Building Doctor Clinics**

The Ohio Historical Society’s Building Doctors will be coming to the following cities during 2005: **Zanesville**, April 14-15; **Sandusky**, May 5-6; **Berea**, June 16-17; **Marietta**, August 25-26; **Franklin**, September 15-16; **Oberlin**, October 6-7; and **Canton**, October 20-21.

Working in teams the “doctors” help old building owners recognize and solve common problems in maintaining older buildings and how to make appropriate repairs. The clinics are free. To register for a clinic in your area or for more information call toll free 1-800-49924709 or visit [www.building-doctor.org](http://www.building-doctor.org).



*From left to right Building Doctors: Judith Kitchen, Mariangela Pfister, Mark Epstein and Martha Raymond.*

The Building Doctors are now scheduling their 2006 clinics. If your community is interested in hosting a Building Doctor Clinic in 2006 and would like more information, contact Mariangela Pfister at the Ohio Historic Preservation Office, (614) 298-2000 or by email at [mpfister@ohiohistory.org](mailto:mpfister@ohiohistory.org).

## Berea and Galion Awarded Certificates

The cities of Berea and Galion recently received certificates signed by Rachel Tooker, State Historic Preservation Officer, recognizing their designation as Certified Local Governments (see article about Galion in this issue of the newsletter and Berea in the October/November issue). Since the certificate program did not begin until last year most CLG communities have not received certificates. If

your Certified Local Government would like to be recognized with a certificate please contact Glenn Harper at 614/298-2000 or email at gharper@ohiohistory.org

## Tell Us About Ohio's CLG Grant Program

Certified Local Government grants are currently the only funding source for historic preservation related projects administered by the Ohio Historic Preservation Office. Preservation dollars are scarce; historic preservation needs are great.

The current funding cycle includes the notice of grant availability issued in August, issuance of application in September, a submission deadline at the end of October, announcement of grant awards in December for a March 1 start date, and up to 16 months to complete the project.

This past year we experienced a decline in applicants for CLG grants and made funds available in a second round application solicitation. We are experiencing higher interest at this time and wonder if the timing is a major variable. Our goal is to best address the historic preservation needs of certified communities and we would like your input on how best to do this.

Please take a few minutes to answer the questions that follow. We appreciate your input.

### Certified Local Government Grant Questionnaire

Have you applied for a CLG grant in the last 3 years? Yes \_\_\_\_\_ No \_\_\_\_\_

If you have not applied for a grant in the last 3 years, please tell us why. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Were the application packet materials clear? Yes \_\_\_\_\_ No \_\_\_\_\_

Can you access the application materials on line? Yes \_\_\_\_\_ No \_\_\_\_\_

Do you prefer completing the application on line or using the word processing format provided? Online \_\_\_\_\_ Word \_\_\_\_\_

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### Certified Local Government Grant Questionnaire

If you cannot open Word documents please let us know what program you use to view documents on the web or via email.

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Does the due date of the application affect your decision on whether to apply for CLG funding? Yes \_\_\_\_\_ No \_\_\_\_\_

Would an application due date of March 1 fit into your local budgetary schedule better than the current end of October date? Yes \_\_\_\_\_ No \_\_\_\_\_

Circle the preferred due date that would better fit into your local budgetary schedule. February 1\_\_ February 15\_\_ March 15\_\_

Would you attend a pre-grant cycle workshop to address the CLG grant process, project requirements, meet with counterparts in other CLG communities, and to address general questions and issues pertaining to historic preservation in your community? Yes \_\_\_\_\_ No \_\_\_\_\_

How can OHPO be of assistance to your historic preservation efforts in your community? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**For communities that have been awarded a grant in the last three years:**

Did you administer the grant in-house or name an administrative agent to carry out the grant project? In-House \_\_\_\_\_ Agent \_\_\_\_\_

What was the community's role in the project when an administrative agent carried out the project? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Did you carry out your project in-house or hire a consultant? In-House \_\_\_\_\_ Consultant \_\_\_\_\_

General comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Certified Local Government \_\_\_\_\_ Responder \_\_\_\_\_

Responder's email address \_\_\_\_\_

Thank you for taking the time to respond to this questionnaire. You may email your answers to [jkrasniewski@ohiohistory.org](mailto:jkrasniewski@ohiohistory.org) or mail the questionnaire to: Judy Krasniewski, Grants Manager, Ohio Historic Preservation Office, 567 E. Hudson St., Columbus Ohio 43211.

# FastFacts

## *about Termites*

by

**Mariangela Pfister**

Most folks welcome the return of warmer weather. However, warm weather can sometimes also herald the return of termites. The spring is a good time to investigate whether or not your old (or even your new) building has termites, because they tend to swarm (fly around to mate and establish new colonies) in March, April, May and June, although they also occasionally swarm in September and October. The focus of this Fast Facts is on subterranean termites, the variety most commonly found in Ohio. First a little information about the insects themselves.

Subterranean termites live together in colonies in the soil, unlike carpenter ants that can actually live in the wood of your home. Each colony consists of swarmers (reproducing termites), workers and soldiers. Termites actually eat your wood or wood products (anything containing cellulose), whereas carpenter ants tunnel through it looking for places to nest. However, both actions are highly damaging to wood. As I mentioned, termites will attack anything containing cellulose, but they are particularly fond of damp wood. Wet wood is a favorite of many pests. As a result, it's essential that your building is kept as dry as possible. Measures you can take to achieve this are discussed in this article.

Investigation is always the first tool in combating any building problem. Look carefully for signs of swarming termites. Another telltale sign of these damaging insects are the mud tunnels or tubes they create on foundation walls or between cracks in wood.

These little mud tunnels differ caked up mud in that they actually resemble tunnels and will stretch from the ground

right up into your wood or between the top of your foundation and the beginning of your building.

Another signal that termites are around is if your wood sounds hollow when tapped or is spongy or soft when gently probed with something sharp.

If you find evidence of termites, don't try home remedies to treat them. Termites are tenacious and the chemicals used to kill them can be toxic. Contact a reputable pesticide company that will guarantee its work without hidden charges or fees. Ask other building owners who they have used and with what degree of success, and check with your Better Business Bureau. Since termites leave some surface wood in place, it's really difficult to tell if they've been completely exterminated, so it's very important to work with a pesticide company that will return if needed. It's also really important to be vigilant in monitoring your building even after you've had it treated for termites.

If you've not yet found any evidence of termites, consider yourself fortunate, but don't be complacent. Monitor your old or new building frequently for the signs of termites I've mentioned in this article. Avoid moist wood, which both termites and carpenter ants relish. Keep your roof, gutters and downspouts free of debris and in good working order. Slope the ground away from your home so that water is able to drain away from your foundation, however, be very careful not to pile your soil up so high against your foundation that it touches or even comes close to the wood of your home. If the soil is too close, the termites will use it as a bridge into your

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structure.

Do not use wood mulch against your foundation. Termites will attack soft or hard woods so the type of mulch makes no difference; all varieties are attractive to termites. And since it is the purpose of mulch to hold moisture to the soil, it is perfect for termites and for carpenter ants, which also love moist wood. Don't stack any type of wood close to your building. Termites can easily transfer from the firewood you keep handy on your back porch directly to your porch columns or flooring. Take care when you bring wood in from the outside to insure that bugs aren't stowing away to gain entrance to your home.

However, by far the greatest way to reduce your expo-

sure to termites is to keep all areas of your building dry, well ventilated, and well painted.

Above all, don't panic. Termites chew slowly. It takes them a long time to cause serious damage, however, if left unattended; they can cause costly repairs, especially to structural members of your building. So even if you have a masonry building, it's very important to be vigilant against these pests. By taking the measures I recommend in this *Fast Facts*, your building can be insect free and sound. As we stress in almost all our *Fast Facts*, a dry and well-maintained building is a healthy building!

*For more information about winning the battle against termites, contact the Ohio Historic Preservation Office.*