

Bloomington Historic Preservation Commission Meeting

Hybrid Meeting

In person: McCloskey Room, 401 N Morton St., Suite 135, Bloomington IN 47404

Zoom: [https://bloomington.zoom.us/j/95852185508?](https://bloomington.zoom.us/j/95852185508?pwd=M3J2aDgrdjdaWh1QUN3eWRKYThKQT09)
pwd=M3J2aDgrdjdaWh1QUN3eWRKYThKQT09

Meeting ID: 958 5218 5508 Passcode: 082945

Thursday March 24, 2022 5:00 P.M.

MINUTES

I. CALL TO ORDER

Meeting was called to order by Chair **John Saunders @ 5:00 p.m.**

II. ROLL CALL

Commissioners Present:

John Saunders (Present)
Reynard Cross (Present)
Elizabeth Mitchell (Present)
Sam DeSollar (Present)
Matthew Seddon (Present)
Marleen Newman (Present)

Advisory Members Present:

Chris Sturbaum (Electronic)
Duncan Campbell (Electronic)
Ernesto Castaneda (Electronic)

Staff Present:

Gloria Colom, HAND (Present)
John Zody, HAND (Present)
Brent Pierce, HAND (Present)
Dee Wills, HAND (Electronic)
Mike Arnold, HAND (Present)
Daniel Dixon, City Legal Department (Electronic)

Guests Present:

CATS (Present)
Joseph Patrick (Electronic)
Paul Pruitt (Present)
Peter Dorfman (Electronic)
Marc Cornett (Present)
Janice Sorby (Electronic)

Dave Askins (Present)

Glenda & Patrick Murry (Electronic)
Christine Bartlett (Electronic)
Michael Cordaro (Electronic)
Karen Duffy (Electronic)
Paul Ash (Electronic)
Elizabeth Cox Ash (Electronic)
Greg Alexander (Electronic)
Karen Ellis (Present)
Steve Wyatt (Electronic)
Richard Lewis (Electronic)
Ryan Cohen (Electronic)
Pepper Mulherin (Electronic)
Mike (Electronic)
Blaine (Electronic)
Rob (Electronic)
Sandi (Electronic)

III. APPROVAL OF MINUTES

A. March 10, 2022 Minutes

Sam Desollar made a motion to approve **March 10, 2022 Minutes.**

Matthew Seddon seconded.

Motion Carries: 5 Yes (DeSollar, Seddon, Saunders, Mitchell, Cross), 0 No, 0 Abstain.

IV. CERTIFICATES OF APPROPRIATENESS

Staff Review

A. COA 22-22

321 N Rogers St. (Second Baptist Church Historic District)

Petitioner: Hattie Johnson, Board of Trustees

Plaque Installation

Gloria Colom gave presentation. See packet for details.

Commission Review

B. COA 22-23

510 W Allen St. (McDoel Historic District)

Petitioner: Karen Ellis

Replace windows, siding, add insulation, remove porch ceiling.

Gloria Colom gave presentation. See packet for details.

Sam DeSollar asked if there was any comments from the neighborhood.

Elizabeth Cox Ash commented that the work to be done was appropriate

to the neighborhoods historic guidelines. **Paul Ash** commented that he was one hundred percent in favor of what the **Petitioner** was proposing. **Karen Ellis** commented that with regards to the siding, the plan is to remove the vinyl and to restore the wood underneath and paint. **Sam DeSollar** commented that he thought this was a great project.

Sam DeSollar made a motion to approve **COA 22-23**.

Marleen Newman seconded

Motion Carries: 5 Yes (Newman, DeSollar, Saunders, Mitchell, Cross), 1 Recused (Seddon), 0 No, 0 Abstain.

C. COA 22-24

619 W Smith Ave. (Greater Prospect Hill Historic District)

Petitioner: Glenda and Patrick Murray

Extensive restoration and rehabilitation of the building with reconstruction and additions on the back.

Gloria Colom gave presentation. See packet for details.

Patrick Murray stated that he thought **Gloria Colom** did a good job of presenting their project. **Patrick Murray** gave details of the condition of the house and what is being proposed. See packet for details. **Elizabeth Cox Ash** stated that she really salutes **Glenda and Patrick Murray** for taking on this project.

Marleen Newman stated that she was concerned about the roofline and the slope of the roof. See packet for details. **Patrick Murray** asked for clarification. **Sam DeSollar** explained the concern about the roofline. More discussion ensued. See packet for details. **Patrick Murray** that this was just a model and that the roofline would slope properly and be raised at least a foot. Glenda Murry stated that there was another drawing sent in that better reflects the roofline.

Marleen Newman commented that there is still going to be a problem with the corner of the roof. **Chris Sturbaum** commented that they can make the roof to not leak. More discussion ensued. See packet for details. **Duncan Campbell** commented that this was a classic example of demolition by neglect that was caught in time and should be used as a model for how you can remodel a house that others think is too far gone. **Ernesto Castaneda** commented that he wanted to thank **Glenda** and **Patrick Murray** for taking on this project, and seconds **Duncan Campbell's** comments. **John Saunders** asked if the **Petitioners** would document the progress of the house.

Matthew Seddon made a motion to approve **COA 22-24**.

Elizabeth Mitchell seconded.

Motion Carries: 6 Yes (Newman, DeSollar, Seddon, Saunders, Mitchell, Cross), 0 No, 0 Abstain.

D. COA 22-25

914 W Kirkwood Ave. (Near West Side Conservation District)

Petitioner: Paul Pruitt

New Construction.

Gloria Colom gave presentation. See packet for details.

Marc Cornett stated that to directly respond to the neighborhood, they have submitted an improved version, specifically to get rid of the board and baton on the upper third of the wall registry. They also want to use what the neighborhood preferred for the final approval. **Marc Cornett** also asked for an endorsement regarding the setback which they need a variance for. **Marc Cornett** stated that they also want to pursue a horizontal property regime which is called Condo light from a legal structure and it allows for **Paul Pruitt** to separate the property into two pieces which was one of the debates of the duplexing of neighborhoods. We would like to allow for ownership of each unit, so we would also like support from the preservation commission as we move forward with the **Planning Department** to fully discuss the opportunity to sell these.

Peter Dorfman commented there was no issue with the Neighborhood Association concerning the floor plans or the rear view drawing, and that they would prefer to see clap board on the upper story. **Peter Dorfman** stated that it was their understanding of the setback was different. **Gloria Colom** presented a new drawing concerning the lap siding. More discussion ensued. See packet for details.

Marleen Newman asked about the front elevation where there is a bit of building sticking out. **Sam DeSollar** asked about the drip edge, and also asked a zoning question concerning a 20 foot buffer yard. **Matthew Seddon** asked for confirmation that the **Petitioners** asked the **Commissioners** to endorse a couple of things. **Matthew Seddon** asked **Daniel Dixon** if that was in their scope, and that he was not interested in the **Historic Preservation Commission** getting into the business of **Zoning** and **Planning**. **Daniel Dixon** commented that he did not know if there has ever been an endorsement in the past that was voted on, but that he knows that commissioners have in the past have gone to the Planning Department to voice support. More discussion ensued. See packet for details.

Marleen Newman commented that this looks like a great project. **Sam DeSollar** commented that he really liked this and how it fits into the neighborhood, but has some hesitancy about changing the lot line. **Matthew Seddon** commented that he would support this **COA**. **Elizabeth Mitchell** commented that if the **Neighborhood Association** supported this, then so did she. **Duncan Campbell** commented that he also thought this was a really good project and supports it. **Ernesto**

Castaneda commented that this was a great project and it contributes to the whole neighborhood on the west side.

Chris Sturbaum commented that this was ground breaking in so many ways, and that the vision for **Kirkwood** is slowly coming to pass.

Sam DeSollar made a motion to approve **COA 22-25 with supporting setback areas.**

Matthew Seddon seconded.

Motion Carries: 6 Yes (Newman, DeSollar, Seddon, Saunders, Mitchell, Cross), 0 No, 0 Abstain.

E. COA 22-27

400 W. 7th St. (Johnson's Creamery)

Petitioner: Michael Cordaro

Partial demolition of the smokestack.

Gloria Colom gave presentation. See packet for details.

John Zody stated that on **March 10, 2022** the **HPC** recommended the creamery property be for **Historic Designation** from the **City Council** to create a **Local Historic District** with a recommended map. **John Zody** stated that following that meeting the **Petitioner** submitted a revised map which would narrow the scope a bit. Then late yesterday submitted an additional map that narrows it further which would remove the smokestack as part of the proposal. **John Zody** stated that when the **Historic Preservation Commission** recommended this for Historic Designation, the next opportunity for the **Council** to consider this was last night. If it is possible for the City Council to make this a Historical Designation happen on one, if they all agreed unanimously that it should be considered would need a two-thirds vote to make it happen. The **Council** chose not to do that. They are wanting to spend a little more time on this. Right now this would come up for vote, if the **Council** chooses to do so, on **April 06, 2022**. More discussion ensued about the revised map. See packet for details. Discussion ensued concerning the demolition of the smokestack down to 60 feet. **Michael Cordaro** stated that he did not submit a third map, we were just making sure that the map we did propose that follows the foundation includes the smokestack. The removal of the structure of the smokestack was just another consideration that we asked, but the boundary would still include it. **Michael Cordaro's** Attorney **Christine Bartlett** stated that they have an issue with how this is proposed as being a conditional approval. We do think that is beyond the power of what you can do. Certainly you can approve or deny **Certificates of Appropriateness**. That is within your rights under **City Code**, but your power does stem from that **City Code** and that **Code** doesn't say that you can put conditions on a **COA**. In turn the **City Code** has to align with **State Statute**, which also doesn't give you that power to make conditions. The other issue is that any requirement has to be in the power of **Historic Preservation**. That is in the **Bloomington Municipal Code** that you

cannot make any requirement except for the purpose of preventing development, alteration or demolition in the **Historic District**. **Christine Bartlett** stated that they think this goes too far, we think this goes beyond what you can do. **Daniel Dixon** stated that there may be a disagreement on positions between the **City** and **Peerless** on that question. The **City** looks at **Municipal Code Section 8.08.050**, that does talk about, with regard to Partial Demolition, take place in only a manner to preserve the historical and architectural character of the building. **Peter Dorfman** with the **Near West Side Neighborhood Association** stated that the **Neighborhood Association** has been on the record in support of **Historic Designation** of this site including the smokestack. Both to the **HPC** and directly to the **City Council**. **Peter Dorfman** stated that he wanted to urge the **HPC** not to approve or recommend any form of designation that does not include the smokestack. We think the smokestack is a critically important component of the historic site, it is crucial to the character of the site, and we would urge you not to designate that structure without the smokestack.

Marleen Newman asked about a tax credit, and stated that the smokestack has been a continuing problem since about 2000 or prior to that. More discussion ensued. See packet for details. **Reynard Cross** stated that he could not understand the objection to what was being referred to as a condition on a **COA**. **Sam DeSollar** stated that what the staff report recommends, in addition to giving them permission to demolish part of the smokestack, we are only doing that if they promise to put a proposal before us within 45 days, commemorating the smokestack in some way. More discussion ensued. **Greg Alexander** stated that he wanted to encourage the **Commission** to permit full demolition of the chimney as soon as possible because we are paying a significant cost. There is the cost of going before this board, the cost of doing more expensive maintenance. Then there is the reward, the esthetics, the cultural significance, the neighborhood cohesion. But underlying all of that the practical reward of having the building. A building where you can have people living, building businesses, children playing in the buildings. Nothing happens in a smokestack. All it is good for is looking at or holding up a cell phone tower. **Greg Alexander** stated that this smokestack is of no value whatsoever. If it goes down to 60 feet it will not be interesting esthetically anymore. It doesn't need to be commemorated. It is just a burden on a **Petitioner** that is attempting to build housing. And right now it is also a burden on people who are using the **B-Line**, and so I would really appreciate if you would take care of that as soon as possible, because even during this meeting, I went down the **B-Line**, and it is causing traffic congestion and then on the **B-Line** where people are using that ridiculous detour is causing danger because where people in the parking lot really behave ridiculously, and we are using it as part of **B-Line** now. **Michael Cordaro** stated that their issue with this is, we don't mind the idea of memorializing the smokestack. We take significant issue with the idea that were going to be forced to pay for this memorialization.

Michael Cordaro stated that they are happy to work with the **City** in terms of dedicating some land, giving an easement, to put up an art installation, but we were told this has to cost at least 100,000.00 to 150,000.00 dollars at minimum. We don't have the money to do that. We don't have the money to spend 350,000.00 dollars to demolish this. This was not in our budget. We do not feel that it is okay with the **HPC's** authority to force us to spend more money, to memorialize things. More discussion ensued. See packet for details. **Christine Bartlett** stated that the **Code** is very clear, and it states the **Commission** may not make any requirements except for the purpose of preventing development, alteration, or demolition in the **Historic District**. That is **Municipal Code 2.16.030**, and think that is clear an art installation, an interpretation or whatever is being asked of these owners do to. More discussion ensued. See packet for details.

Marleen Newman asked if 60 feet or 75 feet were two different proposals for the smokestack. **Daniel Dixon** stated that the **Unsafe Order** required it taken down to 60 feet. More discussion ensued. See packet for details. **Sam DeSollar** stated that part of the process of demolishing is tapping the tower with concrete. In one of the original Engineering Reports states that tapping it with concrete would trap moisture inside the smokestack and further let the segregation of the interior brick, are there mitigation measures that address further deterioration of the stack if you were going to tap it with concrete. **Joseph Patrick** the **Director of Development with Peerless Development** stated there are provisions for a vent at the top of the smokestack through the new proposed concrete lid that will allow air and moisture to escape from the smokestack. **Reynard Cross** asked if there was no option at all of keeping the smokestack at the height it is now and fixing it there. **John Zody** stated that the structural engineers assessment was it cannot be repaired intact. In order to build it back to 140 feet is not currently at building code so it would have to be dismantled all the way to the ground, the foundation would have to be dug out and stabilized, and redone. What would be built back is not a stack that looks much like what you see right now, because it does not meet code. **Reynard Cross** asked why we have settled on 60 feet instead of 75 feet. Is it purely because of cost, and whose cost would that be if the decision was made to have it at 75 feet. **Michael Cordaro** stated that the smokestack is leaning starting around the 30 foot mark. There is really not much that can be done to repair in place. The Code is another issue, and there is a financial issue with this. More discussion ensued. See packet for details. **Reynard Cross** asked for clarification, that the only difference between 60 feet and 75 feet is would be additional costs, and additional work, and that cost and that work could be done, and that cost would be borne by the property owner. **Daniel Dixon** stated that the existing unsafe building order limits this to 60 feet, and the reason is that the City looked at a lot of issues, stability issues and the risks of potential damage to the remaining stack.

Duncan Campbell asked **Daniel Dixon** to explain why the **City** has not stepped in with their police power since this was an unsafe structure. **Daniel Dixon** stated that there is a provision in the code for **Public Safety Demolitions** under **Historic Preservation**. The conditions for that are a structure that is an immediate danger to either persons or property, and is a danger such that there are no other reasonable steps that can be taken to mitigate that danger, before the **Historic Preservation Commission** has an opportunity to weigh in. **Daniel Dixon** stated that as they looked at the engineer study, and what we were hearing, that while it is certainly unsafe, it doesn't seem that there are immediate dangers, or that if there were immediate dangers, such as the spalling or things that were falling off of it right now could not be reasonably protected by steps that we have taken already such as cordoning off the area or if more immediate risks were to appear in the future, there are other steps the **City** could take under that statute to allow time for consideration by this **Commission**. Chris Sturbaum asked about the danger of the chimney. The engineering report said that from the day it was built, it did not meet code, which means it has been in danger of falling over whenever an earthquake happened since it was constructed, isn't that true. **Duncan Campbell** answered, No. More discussion ensued. See packet for details. More discussion ensued about the art installation in relation to the Petition. See packet for details.

Reynard Cross commented that he was puzzled as to the expressed frustration of the owners of this property which seems to be coming from the **HPC** exercising its function as it was duly constituted and mandated to perform. I understand that this may be costly, but every venture comes with some amount of risk. It has been mentioned here that this condition is not new, and it would have existed when the property was purchased. **Reynard Cross** commented about the comment he heard about the smokestack, it seemed to belittle the historical significance of this structure. Simply because it does not serve as some kind of practical purpose. **Matthew Seddon** commented about hearing from several members of the community at the last meeting in favor of preserving this and would like to hear more comments from the public before he made his comments. **Janice Sorby** commented that she did not think that cost was something the **HPC** was supposed to take into consideration, and thought essentially, the **HPC** speaks for the building. Or in this case the smokestack. It seems as though the smokestack has been an issue for a long time, and I've looked at the developer's portfolio and they seem to work on a lot of historic buildings. That said, it seems like they understand what is involved with a development that takes in a historic structure and if the cost were not anticipated, I find that surprising. More discussion ensued. See packet for details. **Dave Askins** with the **B-Square Bulletin** asked about the question concerning the percentage for arts. **Dave Askins** stated that he thought that was a piece of city code that applies just to city owned projects and it is BMC 2.12.021. As I understand it that would not apply to this particular endeavor.

Karen Duffy commented about a statement the **Board of Directors** of the Near West Side Neighborhood Association to support the Nomination of the **Johnson Complex** including the two buildings, the smokestack and the grounds immediately surrounding them, as a local historic district. But that they are not taking a stand on the safety issue, or what remedy needed to be taken. Our comment was that we want to see this property protected. **Matthew Seddon** commented on the proposed action and also whether there should be conditions with the proposal, referred back to the code. More discussion ensued. See packet for details.

Christine Bartlett stated that they do think the code is clear that the **Commission** may approve or deny **Certificates of Appropriateness**. There is no in between, there is no conditional. And the power that the Commission has derives directly from the **Bloomington Municipal Code**, and that code has to comply with **Indiana Statutes**. More discussion ensued. See packet for details. **Daniel Dixon** stated that from the **Cities** perspective, the code does allow for recommendations, and looking at 8.08.020C the last sections says the Commission may advise or make recommendations to the applicant before acting on an application for a **Certificate of Appropriateness**. **Sam DeSollar** commented about the smokestack being a landmark that strongly contributes to the identity of the creamery and to that section of Bloomington. Many members of the community have stated that they don't want any of the smokestack removed. Taking down the smokestack to 60 feet would diminish the historic integrity of the smokestack irreparably. That said, it is not safe. It wasn't built to last. It is the second one built there and it was used hard. It was built for a purpose and that purpose is gone. **Sam DeSollar** commented that he does not think it is worth the risk to public safety. More discussion ensued. See packet for details. More comments were made by the **Commissioners**. See packet for details. **Michael Cordaro** commented that they appreciate the roll of the **HPC**, but that they do not feel that they should be beholden to provide the funding for that purpose. More discussion ensued. See packet for details. More discussion ensued about the safety issues of the smokestack. See packet for details.

Matthew Seddon made a motion to approve **COA 22-27**

Sam DeSollar seconded.

Motion Carries: 6 Yes (Newman, DeSollar, Seddon, Saunders, Mitchell, Cross), 0 No, 0 Abstain.

Elizabeth Mitchell left meeting @ 9:00 p.m.

V. DEMOLITION

DELAY

Commission Review

A. DD 22-09

200 E Kirkwood Ave. (Contributing)

Petitioner: Thomas Ritman
Full demolition of primary structure on the lot.

Gloria Colom gave presentation. See packet for details.

Tim Covern with **Studio Three Design** stated that he was representing the **Petitioner**, and stated that his understanding that the purpose of tonight is whether or not to designate this building. **Tim Covern** discussed some of the possible proposals that might be put before the board for adding an addition in the future.

Duncan Campbell asked **Staff** to explain more about the criteria. **Gloria Colom** gave details. See packet for details. More discussion ensued concerning the time frame of designating.

Marleen Newman commented that she liked this building. **Reynard Cross** commented that he would vote for designation. **Sam DeSollar** commented that this was one of the few International Style Buildings that were left. **Matthew Seddon** commented that he would vote to designate. **John Saunders** agreed. **Ernesto Castaneda** commented that he really appreciates the architecture and would be supportive of designation. **Duncan Campbell** agreed that his needed to be sent to council.

Matthew Seddon made a motion to move **DD 22-09 for designation.**

Sam DeSollar seconded.

Motion Carries: Yes (Newman, DeSollar, Seddon, Saunders, Cross), 0 No, 0 Abstain.

A question came up in discussion about the vote for **COA 22-27** and what motion was actually made. Discussion ensued. See packet for details. **Reynard Cross** stated that he thought he had voted for the motion with conditions.

Matthew Seddon made a motion to reconsider and clarify the vote for **COA 22-27.**

Sam DeSollar seconded.

Motion Carries: 5 Yes (Newman, DeSollar, Seddon, Saunders, Cross), 0 No, 0 Abstain.

More discussion ensued. See packet for details.

Matthew Seddon made a motion to continue **COA 22-27 to the next meeting.**

John Saunders seconded.

Motion Carries: 5 Yes (Newman, DeSollar, Seddon, Saunders, Cross), 0 No, 0 Abstain.

VI. NEW BUSINESS

VII. OLD BUSINESS

VIII. COMMISSIONER COMMENTS

IX. ANNOUNCEMENTS

XII. RECESS

Matt Seddon made a motion to **Recess the March 24, 2022 Historic Preservation Meeting to March 31, 2022 @ 5:00 p.m. in the McCloskey Room.**

Reynard Cross seconded.

Motion Carries: 5 Yes (Newman, DeSollar, Seddon, Saunders, Cross), 0 No, 0 Abstain.

Bloomington Historic Preservation Commission Meeting

Hybrid Meeting

Thursday March 31, 2022 5:00 P.M.

I. RECONVENING MEETING

Meeting was reconvened by Chair **John Saunders @ 5:00 p.m.**

II. ROLL CALL

Commissioners Present:

Matthew Seddon (Present)

Marlene Newman (Present)

Doug Bruce (Electronic)

Reynard Cross (Present)

John Saunders (Present)

Elizabeth Mitchell (Present)

Sam DeSololar (Present)

Allison Chopra (Electronic) Entered Meeting @ 5:45 p.m.

Staff Present:

Gloria Colom (HAND), (Present)

John Zody (HAND), (Present)

Dee Wills (HAND), (Electronic)

Daniel Dixon (City of Bloomington Legal Department), (Present)

Guests Present:

David Askins (B-Square), (Present)
Karen Duffy (Present)
Michael Cordaro (Electronic)
Janice Sorby (Electronic)
Joseph Patrick (Electronic)
Christine Bartlett (Electronic)
Ryan Cohen (Electronic)
Blaine (Electronic)
Holden Abshier (Electronic)
Trinity Bloomington (Electronic)
Sam Dove (Electronic)
Natalia Galvan (Electronic)

CERTIFICATE OF APPROPRIATENESS

F. COA 22-27

400 W. 7th St. (Johnson's Creamery)

Petitioner: Michael Cordaro

Partial demolition of the smokestack.

John Zody gave an update of previous meeting and the explained the misunderstanding about the motion that was passed. See packet for details.

John Zody gave an update about the **City Council Meeting** from the previous evening, and also discussed what the options are and what the priorities are for the smokestack. See packet for details.

Michael Cordaro stated that they were in the same position that they were last week. **Michael Cordaro** stated that they want to bring the smokestack down to a safe height, and do not believe that additional conditions are within the mandate of the **HPC**. We are willing to work with the **HPC** and the City to allow an installation or commemorative piece on the property. We do not feel it is our obligation to pay for said items.

Matthew Seddon made a motion to approve **COA 22-27** without conditions.

Sam DeSollar seconded.

Marleen Newman asked if a variance would be needed to put anything on top of the tower at 60 feet. **Joseph Patrick** stated that the engineering report stated that anything placed on top of a 60 foot structure would jeopardize the integrity and that code compliance. **Elizabeth Mitchell** asked for **John Zody** to give here an idea of where 60 feet would be from the picture on the presentation. **Reynard Cross** asked for clarification as to the difference between the 60 feet and the 75 feet, and stated that his

understanding of why the smokestack is not being kept at 75 feet is because of cost. **Michael Cordaro** stated that cost was one factor, and the second factor is that while the engineer believes that while it could possibly be engineered to go back up to 75 feet, there are significant risks and unknowns with that plan, which could cause a full destruction of the tower. **Reynard Cross** stated that he is still trying to understand, why it is that after two studies within five years, why are we still speaking about what could happen. Why don't we know with some degree of certainty? **John Zody** and **Gloria Colom** explained in more detail. More discussion ensued. See packet for details. **Sam DeSollar** stated that by trying to keep 75 feet you open up a lot of risk on the existing structure, because when you do that kind of excavation, there is a potential to disturb the foundation and knock the whole thing down. There is a very different process for the 60 feet. It is not only the safety of the public, but the safety of the original structure is a stake if you go up to 75 feet. **Chris Sturbaum** stated that he agreed with the **Petitioner** and that they should approve this without conditions. I think we need to send a very clear message to the **Council**. See packet for details. **Duncan Campbell** commented that his reading of the engineers report was pretty much way **Gloria Colom** clarified it, and that he also supports approving the **COA** with no conditions. More discussion ensued. See packet for details. **Elizabeth Mitchell** stated that it seemed to her that the community wants that smokestack there, so wouldn't the community of **Bloomington** be willing to commemorate the smokestack because they love the smokestack. **Elizabeth Mitchell** asked if anyone has reached out to other communities to see what they have done to preserve smokestacks. More discussion ensued about rebuilding and replacing smokestacks. See packet for details. **Karen Duffy** read a statement from the **Neighborhood Association: Dear Commissioners, the Near Westside Neighborhood Association Board of Directors** offers the following thoughts on **COA 22-27**. We fully agree that the **Johnson's Creamery Smokestack** should be reduced to 60 feet. And that a commemorative should be created to stand beside it. We feel strongly that the most appropriate form would be an interpretive display rather than an art installation. We envision perhaps a standing panel whose design and production could match the marvelous series of informational panels that stand along the **B-Line Trail**, continuing through the new stretch of the **Switch Yard**. Such a panel already exists for the creamery near its office. The one we envision, would be added for the smokestack. We suggest the content for such a panel be composed to address no more than three basic areas. Such as one, the original function of the smokestack as a source of power for the creamery operations. The final section emphasizing the primacy of public safety. See packet for more details.

Reynard Cross commented that his primary concern is more of a public policy issue. More discussion ensued. See packet for details. **Janice Sorby** commented that they could not be the only community that has wrestled with ideas before. **Janice Sorby** gave examples. See packet for details. **Chris Sturbaum** asked about the continued maintenance after the smokestack is taken down to 60 feet and the cost. More discussion ensued.

See packet for details. **Marleen Newman** commented that she thought it was a not logical to put a condition on the project. **Sam DeSollar** addressed **Marleen Newman's** concerns. See packet for details. **Allison Chopra** asked if comments could be made to the **Chair**, it would be helpful. **Michael Cordaro** brought up **BMC 8.08.020**. **John Saunders** explained that they had all read and were aware of this. More discussion ensued between the **Commissioners** and **Staff**. See packet for details.

Matthew Seddon made a motion to approve **COA 22-27 with no Conditions**.

Sam DeSollar seconded.

Motion Carries: 7 Yes (Newman, Bruce, DeSollar, Seddon, Saunders, Mitchell, Cross), 0 No, 1 Abstain (Chopra)

Meeting was adjourned by **John Saunders @ 6:15 p.m.**

END OF MINUTES

Video record of meeting available upon request.