



*Minutes of the Hammond Historic District Commission
July 15, 2020
Hammond City Council Chambers – 312 East Charles*

- Meeting called to order by Chairman, Mr. Ryan Faulk, at 11:00 a.m.
- Verification of meeting notice given by Director, Ms. Jennie Garcia
- Roll call taken:
 - Present: Jessica Shirey, Shauna Seals, Ryan Faulk, Jen White, John Exnicios, and Roy Blackwood
 - Absent: Susan Seale
- Motion to approve the minutes from May 20th, 2020 by Roy Blackwood. Second by Jen White.
 - *Shauna Seals questions why the May 20th meeting minutes were not approved at the last meeting. Jessica Shirey clarifies that there was no quorum to approve the May 20th meeting minutes.*
 - Vote: Jessica Shirey (abstain), Shauna Seals (Y), Ryan Faulk (Y), John Exnicios (Y), Jen White (Y), and Roy Blackwood (Y)
 - Motion Approved: 5-1
- Motion to table the minutes from June 17th, 2020 by Roy Blackwood. Second by Jessica Shirey.
 - Vote: Jessica Shirey (Y), John Exnicios (Y), Shauna Seals (Y), Ryan Faulk (Y), Jen White (abstain), and Roy Blackwood (Y),
 - Motion Approved: 5-1
- *Ryan Faulk – I'd like to make a motion to amend the agenda today to add a project 114 N. Cypress –Roofing.*
 - Motion to amend the agenda by Ryan Faulk. Second by Roy Blackwood.
 - *Jen White questions that this was a late application. Ryan Faulk clarifies that this was a late application that was turned in just under the timeframe for submitting an application.*
 - Vote: Jessica Shirey (Y), Shauna Seals (Y), Ryan Faulk (Y), John Exnicios (Y), Jen White (Y), and Roy Blackwood (Y)
 - Motion Approved: 6-0
- *Due to the amount of public present at the meeting, Chairman Ryan Faulk makes a statement limiting public comment to 3 minutes.*

New Business:

○ 223 W. Thomas (Hot Worx) – Signage

- Application presented by: Jason Dendy
- *Essentially 223 W. Thomas is seeking approval for front window vinyl signage. The front window vinyl signage will face Thomas Street. The proposed vinyl signage are banners that measure 8 inches high by 54 inches wide.*
- *John Exnicios recuses himself from this application.*
- *Jason Dendy – Jason Dendy with Hot Worx. I already met one time with signage and got it approved for the hours on the door and the side street sign but never did get fully approved and talked about the banner I wanted to put at the top of the windows that we sent to show. So I wanted to come back and to show you what the logo on the side on the window on the other street is going to look like.*
- *Ryan Faulk – Now what you're, in the photos in the examples you provided...*
- *Jason Dendy – Yeah we just kind of photo shopped that to kind of give you a guide.*
- *Ryan Faulk – That is actually a lot wider than 8 inches in the photo I think.*
- *Jason Dendy – It might be.*
- *Ryan Faulk – It is probably in reality going to look a little narrower than that. Is it actually going to match what you've done at the other location? Is it the same size or is the other one a little smaller?*
- *Jason Dendy – The other location is not our location. That is just another location.*
- *Commissioners clarify that the example signage is from another franchise.*
- *Ryan Faulk – Is it going to match that or is it taller than that?*
- *Jason Dendy – I don't even know the thickness of that but I can find out.*
- *Ryan Faulk – Cause it looks about...*
- *Jason Dendy – We just used 8 inches mainly because...*
- *Ryan Faulk – Yeah that looks about 6 inches.*
- *Jason Dendy – Right.*
- *Ryan Faulk – We talked about this on Friday at the work session and just wanted to reach out. So I don't know if...*
- *Jason Dendy – So the white background was kind of like that but just for the letters to pop out. It's really all that it is. If there is something you do not like about the white background, we can just use white letters.*
- *Jessica Shirey – I think that was one of the things we had talked about because there are some examples in the District on other, where they just have the lettering instead of that whole solid opaque banner.*
- *Jason Dendy – We can do that. No problem.*
- *Ryan Faulk – You'd be ok with that?*
- *Jason Dendy – Yes, sir.*
- *Ryan Faulk – We have a preference but we wanted to make sure you were ok on that.*
- *Jason Dendy – Yeah. We just did the white background because we thought it popped out and got attention. I will say the little thing we did on the door is not*

going to be black. It's just going to be white letters by the way. We just used the black because the – to stand out, you can barely see it.

- *Commissioners look at the signage for the Magnolia street side that was handed out at the Friday work session. Commissioners clarify that the example for the Magnolia side was to show what was already approved by the Commissioners at the last meeting. Discussion continues on the color of that signage and that the approved for size for the lettering was no more than 12 inches tall.*
 - *Jessica Shirey – So the same thing with the lettering where you have it bannered across, the same height restriction there for that lettering.*
 - *Jason Dendy – Well that is...*
 - *Jessica Shirey – You said you were going to...*
 - *Jason Dendy – I just said I was going to do 8 inches.*
 - *Jessica Shirey – Yeah that's fine.*
 - *Jason Dendy – But if you think that's too big.*
 - *Ryan Faulk – No.*
 - *Jen White – Especially if you remove the background you might want to make your letters a little bigger.*
 - *Commissioners agree that the applicant may want to make the letters a little bigger to be more noticeable.*
 - *Ryan Faulk – I make a motion to amend the application to put vinyl letters in lieu of the banner for your window signage.*
 - *Jason Dendy – Yes sir.*
 - *Ryan Faulk – Using the same dimensions you provided.*
 - *Motion to amend the application by Ryan Faulk. Second by Jen White.*
 - *Ryan Faulk clarifies that the vinyl letters must be white letters.*
 - *Jason Dendy states that when he gets the final specs from the sign company he will submit it to the HHDC's office. Commissioners agree that this will be helpful information to have on file.*
 - *Vote: Jessica Shirey (Y), Shauna Seals (Y), Ryan Faulk (Y), Jen White (Y), and Roy Blackwood (Y)*
 - *Motion Approved: 5-0*
 - *Jessica Shirey – I make a motion to approve the application as amended.*
 - *Motion to approve the application as amended by Jessica Shirey. Second by Jen White.*
 - *Vote: Jessica Shirey (Y), Ryan Faulk (Y), Jen White (Y), and Roy Blackwood (Y)*
 - *Motion Approved: 4-0*
- **Shauna Seals stepped out of the meeting and was not present to vote. ***

- **116 S. Cypress (Ritz Theater) – Exterior Renovation**
 - *Application presented by: Michael Holly*
 - *Essentially 116 S. Cypress is seeking to clean the front façade and apply Prosoco Silane clear water proofing and to install new caulk around the windows.*

- *Michael Holly – Good morning, my name is Michael Holly and I am representing Acropolis of Hammond, LLC.*

***Shauna Seals and John Exnicios both return to the meeting. ***

- *Michael Holly – In 2007 we renovated The Ritz Theater into a townhouse apartment complex which was approved by this Commission and at that time we removed the exterior paint from the front façade and put in a waterproofing system; which is a clear breathable Silane waterproofing system to keep water from getting into the building. And it is 10 year later and the Silane has broken down and it is time to recoat. So we are asking for approval to do that along with applying caulking around the windows. This is all a maintenance issue and we have some water intrusion now and basically asking approval to reapply.*
- *Ryan Faulk – I know we had some discussion about this at the work session. Does it warrant any – Roy or Shauna?*
- *Jessica Shirey – I think I worked through all the questions I had at the work session.*
- *Jen White – I think there was just a question to confirm that the water penetration you do have is likely because you have the Silane breaking down. There’s nothing – any other leak, any other thing that needs to be addressed; that this is the solution.*
- *Michael Holly – It’s just coming through the walls. The only other solution is to tear the wall down and rebuild it. I might add that this project did get tax credit so therefore it did go through the State Historic Preservation Office and all that was approved as an appropriate approach to protecting the building.*
- *Ryan Faulk – Any other discussion?*
- *Jennie Garcia – I have a question Michael. The painted wall, that also gets the Silane?*
- *Michael Holly – No, we’re just talking about the – just the front façade.*
- *Jennie Garcia – Ok.*
- *Ryan Faulk – Thank you for clarification.*
- *Ryan Faulk calls for public input. None is given.*
- *Jessica Shirey – I make the motion that we approve the application as submitted.*
- *Motion to approve the application as submitted by John Exnicios. Second by Roy Blackwood.*
- *Vote: Jessica Shirey (Y), Shauna Seals (Y), Ryan Faulk (Y), John Exnicios (Y), Jen White (Y), and Roy Blackwood (Y)*
 - *Motion Approved: 6-0*
- **106 N. Magnolia – Roofing/Exterior Renovation**
 - *Application presented by: Glen Alack*
 - *Essentially 106 N. Magnolia is seeking to extend the main roof line over the bottom floor and to add stairs for secondary access to the back of the building. The staircase will also have a railing.*
 - *Glen Alack – Glen Alack, 106 N. Magnolia Street.*

- *Glen passes out renderings for his project proposal to Commissioners. This information was submitted to the record for the meeting.*
- *Glen Alack – What I plan on doing is, it's a two-story house. The bottom floor has one extra room on the back and right now it just has an old white membrane roof cap that has a, I have to patch it every year. It is just starting to dry rot. So all I want to do is, I want to go ahead and deck it and go ahead and extend the roof out over it and put a set of stairs that go off the back. As you see on there you can tell how I'm going to attach it and so forth and the stairs come down to the existing slab that's already in the back. There is already that door and window back there. From what I understand there used to be some type of decking back there cause they had railings back there and there used to be a set of stairs that was back there.*
- *Ryan Faulk – That would make sense cause that door would just open off onto the roof.*
- *Glenn Alack – It is just a wide open roof back there, correct.*
- *Jessica Shirey – So on this rendering you have a – ok never mind. I was looking at that wrong. You have not another – the second floor deck is the roof, nothing above that except for extending the roof over...*
- *Glen Alack – I just want to help protect it right, tying into the existing roof and coming off over it just – and you see the measurements. 18, almost a little over 400 square feet of what I'm adding to it.*
- *Ryan Faulk – So it's a shed roof off the back is what you're going to do?*
- *Glen Alack – Yes.*
- *Roy Blackwood – I have a question about the eave line on the upper story. It is recessed on the right hand end, so will you bring that down to a common eave line with what is on the south side?*
- *Glen Alack – I am going to pull the left side, cut the left side up to look like the right side so I can get a higher elevation to come out so I will cut over all the way till that window or where that side is; so the only thing that will be coming down is over the windows on the left. Everything will be cut up like over the door and I am going to tie the roofline over there.*
- *Roy Blackwood – Ok.*
- *Glen Alack – I'm not sure why that was ever done like that. I don't know.*
- *Jessica Shirey – Obviously this is an addition and there's...*
- *Ryan Faulk – It probably made sense when the first floor piece wasn't there.*
- *Roy Blackwood – To accommodate that door. Is this zoned for apartments? The exterior staircase, this is not really our purview necessarily, the exterior staircase to access the second floor – is there an intention to rent that space up there? Or is that going to be a part of...*
- *Glen Alack – Currently I'm living up there.*
- *Roy Blackwood – Ok. So this functions like a fire escape?*
- *Glen Alack – Correct. That is a fire escape. Right now the building is not to code. The only way I out, I have to go down the stairs to the front door.*
- *Roy Blackwood – Well that certainly answers my question.*

- *Jessica Shirey – My only and now that I am looking at these different pictures from the backside which you came last month, was it last month?*
- *Glen Alack – Yes it was last month.*
- *Jessica Shirey – For the garage, I didn't realize that was in the back. That is a whole lot of stuff going on back there. It just adds more to the stuff.*
- *Glen Alack – Well the one thing that I am adding on the ground actually is a set of stairs.*
- *Jessica Shirey – That is what I am saying and then there is the garage too that we approved last month. It just makes it more and more busy. Like how many things are we going to add on here and there and what not. I guess that is my concern.*
- *Glen Alack – Well all I'm trying to do now is to try and bring it up to code.*
- *Ryan Faulk – Any other questions or discussion?*
- *Commissioners state that the rendering provided at the meeting was helpful for reviewing the application.*
- *Glen Alack states that the Historic District office requested additional documents for the application and he created the rendering to make it easier for everyone to understand the project proposal.*
- *Ryan Faulk calls for public input. None is given.*
- *Roy Blackwood – Motion to accept.*
- *Motion to accept the application by Roy Blackwood. Second by Jessica Shirey.*
- *Vote: Jessica Shirey (Y), Shauna Seals (Y), Ryan Faulk (Y), Jen White (Y), John Exnicios (Y), and Roy Blackwood (Y)*
 - *Motion Approved: 6-0*
- **114 N. Cypress – Roofing**
 - *Application presented by: Frank White*
 - *Essentially 114 N. Cypress is seeking to replace the existing roof down to the roof joist. The applicant will install a new plywood roof deck, 2 layers of ISO board on the roof deck, TPO membrane, new roof curbs for roof top condensers, and refrigerant pipe penetrations. The applicant is also seeking to replace the existing porcelain coping with new colored metal coping.*
 - *Frank White – Hello, I am Frank White and I own the building. I purchased the building in 2015. Do you have the pictures?*
 - *Jennie Garcia makes sure application and photos are projected onto screen for the public.*
 - *Frank White – This building was redone, Michael (Michael Holly) I think you guys did the design on this in 2001. That roof was put on when it was remodeled in 2001. The roof is at the end of its life span. I have several leaks and I've fixed several. The parapet is leaking. I live upstairs in the front apartment and there are 6 leaks in my apartment and there's two in the back apartment. I just need to replace the roof and the coping there, the mansard – the tiled coping is leaking in several spots. So we're putting a more modern, I have samples and I really don't care which color metal goes there. I just need to replace the roof. That was done in 2002, Michael you may remember that but they did not take the old roof off so*

right now it has two roofs on. So I'm taking both roofs back down to the decking. I plan on fixing any deck and replacing any decking that is there and then putting two layers of insulation to bring it up to new energy code and a new 60 mil TPO roof on it with metal coping.

- *Frank White hands samples of metal coping to Commissioners. Commissioners discuss among themselves the different color options the applicant has presented.*
 - *Ryan Faulk states to applicant that the roof is about due and applicant agrees. Ryan Faulk and applicant Frank White continue to discuss penetrations to the building for HVAC systems.*
 - *Frank White – I'm going to do it right. I have a homemade roof hatch there now and I'm replacing it with a bilco which is a standard roof hatch.*
 - *Ryan Faulk asks if the Commissioners have any other questions or discussions.*
 - *Jessica Shirey – I don't have any more. My questions of the replacement and the removal of the old decking and the roofing were...*
 - *Roy Blackwood – It's pretty straight forward.*
 - *Jessica Shirey agrees with Roy's statement.*
 - *Ryan Faulk calls for public input. None is given.*
 - *Jessica Shirey – I make a motion to accept the application as presented.*
 - *Motion to approve the application as presented by Jessica Shirey. Second by Jen White.*
 - *Jessica Shirey – With the color, he said whatever color we wanted. I think that...*
 - *Ryan Faulk – I think the bronze was the...*
 - *Frank White – You guys pick a color.*
 - *Ryan Faulk – The bronze was more appropriate than any of the other.*
 - *Commissioners state the bronze color is called Mansard Brown.*
 - *Jessica Shirey – If you want us to pick then sure.*
 - *Ryan Faulk – It looks like it matches what the tiles already are.*
 - *Jen White agrees with Ryan Faulk.*
 - *Commissioners and applicant agree to approve the color Mansard Brown for the new metal coping.*
- *Vote: Jessica Shirey (Y), Shauna Seals (N), Ryan Faulk (R), Jen White (Y), John Exnicios (Y), and Roy Blackwood (Y)*
 - *Motion Approved: 6-0*
 - **206 E. Morris (STOA) – New Construction**
 - *Application presented by: Pierre Theriot*
 - *Essentially 206 E. Morris is seeking to construct a new two-story office building that will be 16,271 square feet and include 24 parking spaces. The proposed building will be constructed out of brick veneer, have a prefinished aluminum canopy at the front of the building, aluminum store front windows, stained western red cedar wood slats installed on the building and used as fencing, prefinished corrugated metal siding, and a TPO (thermoplastic polyolefin) roof.*
 - *Ryan Faulk recuses himself from this application.*
 - *Shauna Seals – Did we get any additional information?*

- *Jennie Garcia – Yes, just give me one second. Thank you Shauna. Just to clarify we do have the signed application. This was given at the work session and there is an appeal for this application and...*
- *Jessica Shirey – Not for this application.*
- *Jennie Garcia – Well for the relocation. It wasn't put on yesterday's (July 14) City Council's meeting but it will be put on the 28th. Is it the 28th or the 24th?*
- *Carlee White Gonzales – The 28th.*
- *Jennie Garcia – On the 28th. So I emailed Andre (Andre Coudrain, City Attorney) asking what impact this would have on reviewing the application for today and he said "There's nothing to prevent the Commission from reviewing the application for 206 E. Morris, or otherwise take action on this. As a practical matter, if the Council hears the appeal and reverses the decision, the house will need to be put back (if it had been previously relocated). The applicants should be made aware of the appeal and this possibility. You should also give the applicant notice that the Council will likely have the appeal on the agenda for its July 28 meeting."*
- *Jessica Shirey – Ok we just proceed as we proceed and then when the City Council reviews it, if they were to overturn our decision then it goes back to that point. I believe that is for clarification for everybody. Ok so. Do you need anything else Shauna or asking for any other information?*
- *Shauna Seals states that she does not need any additional information.*
- *Pierre Theriot – Thanks, I am Pierre Theriot with Holly and Smith Architects at 206, I'm sorry, 208 N. Cate Street. So as presented in the work session last Friday we are asking for final approval for the project. We are nearing the completion of the construction documents and the owner is expecting to break ground in the first weeks of August. We are here to ask for approval for color selections. So just – I guess I'll go over them again since we're here and the people who weren't here. So at the last meeting we showed you some actual bricks and those were from a different manufacturer. The owner has since found that they can't get this brick in time to meet the schedule. So you know a different brick manufacturer with pretty much the same color; we found something close to match (inaudible) which is charcoal, yeah charcoal. The windows are all clear anodized aluminum which is what this an example of. The prefinished metal canopy which is in the middle front here as well as there's some painted steel beams, fascia, gutters, sort of all the miscellaneous trim aspects would be this color which is a graphite color and there are small amounts of corrugated metal siding which would be below the windows and along the side of the back which is this color. It's called free weather galvalume. And then we also have some western red cedar slats along the back that serve as a guardrail and sun shading element.*
- *Jessica Shirey – I can see it through the projector stand. Thank you.*
- *Pierre Theriot – So we're going with what's it called, rustic gray Sherwin-Williams paint stain. Oh and I forgot to mention the mortar color for the brick will be this color. That's about it. I'd be happy to answer any questions if you have any.*

- *Roy Blackwood – We talked a little about trees last time. On the northern side I don't recall that we discussed on the backside of the building. Are there going to be trees?*
- *Pierre Theriot – Yeah, we're going through that process with the City Planning Department right now because there are some large trees. We're trying to get them to tell us – a bunch of them are Water Oaks and from our interpretation the Water Oaks are not protected or asked to be mitigated but they're trying to determine whether or not that's the case or not and uh...*
- *Jessica Shirey – Water Oaks are kind of getting to the end of their life expectancy.*
- *Pierre Theriot – There's one really, really big one back there and when they, from personal experience, I know when they start getting that size they can get quite dangerous.*
- *Jessica Shirey – Well they can break in half.*
- *Pierre Theriot – Yeah.*
- *Roy Blackwood – And uproot.*
- *Pierre Theriot – So yeah we're gonna...*
- *Jessica Shirey – You're working with the ratio, the rate –the replacement, the – are you familiar with that Roy?*
- *Roy Blackwood – Very much.*
- *Pierre Theriot – So we have green space and this kind of shows some of it. Green space on either side in little pockets in the back. We have these two planter areas that are in the parking area and on the four corners of the parking lot we have big planters where there'll be trees there.*
- *Roy Blackwood – Ok.*
- *Pierre Theriot – And there will be – I forgot to mention, one of the renderings shows it but there's a, will be a western red cedar fence that's the same detail as this slat kind of thing that goes all the way around the back side of the property. That you might want to contain that parking lot it would be a private used parking lot only with gated access. Yeah, you can see a little bit of it right there. I have the owner with me, Toby Easterly. I don't know if you want to say anything, Toby.*
- *Toby Easterly – One thing I'd like say is that along the street we're improving...*
- *Pierre Theriot – On the front side.*
- *Toby Easterly – Where it looks really nice, are we required to turn the corner? But that's the plan kind of along Andre's (Theriot, Wells Fargo Building) building it looks really nice with the trees and all of that; we're going to continue that and also turn the corner. As long as they allow us to do it and we want to, to create a continuity and also make it look... Can you go back to the original photo? To what it looks like right now.*
- *Jennie Garcia – The house?*
- *Toby Easterly – Yeah. So that is the existing building and go to the other ones.*
- *Toby Easterly and Pierre Theriot describe how they plan on turning the corner of East Morris and South Cherry. (inaudible discussion)*
- *Jessica Shirey – Do we have any more questions from the Commission? At this time public input? Carlee?*

- *Carlee White Gonzales – Yes. Hi, Carlee Gonzales, 905 West Dakota Street, Hammond. I am here as a representative of someone who lives in the Iowa District who had a medical procedure and who couldn't come. She asked me to do this. I know that there are already questions on whether it's totally accurate but she wanted me to provide you guys with her tree diagram because I know there's some questions and she also didn't know if this is the appropriate place to bring this, I know that is Planning and Zoning. (Carlee passes out site plan document created by a concerned citizen) I just wanted to make sure I gave you that and she asked me to. It was if you recall there were some people from the Iowa District at the last meeting and had some questions and concerns and I think we've made it clear to them that a lot of these issues and questions they have come up with Planning and Zoning. I did let all of them know that this meeting was today so that they would appear if they could and voice their opinion. So I just wanted to make sure you guys knew that.*
- *Jessica Shirey – There are only certain trees really that we kind of deal with. There is a list of them.*
- *Roy Blackwood – Mitigation.*
- *Jennie Garcia – In the UDC (Unified Development Code) you mean?*
- *Jessica Shirey – In the, no. We just went through with this with the West Morris Street properties. There's certain, we had the Water Chestnut.*
- *Jen White – Class A or whatever.*
- *Jessica Shirey – Right. There are different classes.*
- *Pierre Theriot states that there are different classes in the ordinance.*
- *Jessica Shirey – But mainly that's Planning and Zoning is gonna, if they're – if a tree is removed there has to be so many other smaller whatever replaced. I'm not sure the ratio of it but there's, there is a way...*
- *Carlee White Gonzales – There's a formula for it.*
- *Jessica Shirey – Right, they have a calculation to figure out that.*
- *Carlee White Gonzales – And we've explained that to and I don't know if it went to everybody in the email from the Iowa District but at least to the person who drew the – this is Karen Wallsten who drew this diagram. So I that I'll relate gain that, that's more part of the Planning and Zoning process but she asked me to give it to you so I am. Also as Council President, I wanted to address the issue of us not hearing the appeal. We were waiting on a legal opinion from the City attorney about if, the ordinance for an appeal says an aggrieved person and it was – a question was raised as to whether someone who's not a neighboring property owner somewhere within the neighboring vicinity is you know if they don't own property in the downtown or in a historic area whether they have standing to bring an appeal. I just got the memo back on that yesterday. So we didn't want to hear anything yet and Melanie I know you emailed me but I hadn't had the change until I talked to Andre last night. So that was the reason why we didn't hear that appeal. I've talked to Andre, I believe we're gonna put it on the agenda anyway because it's not real clear from case law what an aggrieved*

person is and then maybe that's something we're gonna bring in to you guys to address and maybe clarify in our ordinance if we need to and if you feel like it is...

- *Jessica Shirey – And that is on Tuesday, July 28th?*
- *Carlee White Gonzales – The 28th is when we're going to hear the appeal on the relocation of the houses.*
- *Jessica Shirey – Ok, I just wanted to clarify that because and I know we are doing like a live stream and there are some people that are listening that maybe aren't able to make it here. So if there were any issues then they would know exactly how it should be.*
- *Carlee White Gonzales – Exactly.*
- *Toby Easterly asks to see the site plan that was created and submitted by Karen Wallsten.*
- *Carlee White Gonzales states that she lives on Cherry Street and is in the district.*
- *Toby Easterly – Is she licensed?*
- *Carlee White Gonzales – I don't know the answer to that. I don't mean to bring up an issue she asked me to give it to you. So I was doing that.*
- *Lacy Landrum – Just to review, Lacy Landrum Director of Administration. The City's procedure for mitigating trees is all according to our ordinance and we do have a City arborist who goes through strict training and annual recertification to be able to identify the appropriate trees and how they're mitigated. There's a very specific form that's filled out with a formula included and pi is actually part of that formula. So it's a very scientific formula but anyway it comes to the overall value of the trees as existing. It takes into consideration their health, how long they've been there, their diameter, their caliber, there can be all kinds of things in that form. It comes to a calculation and then the owner is able to choose how they wish to move forward at that point. They can either replant on their site as part of the landscaping ordinance that goes into effect at that point. There's different points for either maintaining original trees or planting new trees and the point value changes depending on which route you take. Or the owner can choose to write a check and it goes into the tree mitigation fund which is a separate fund from everything else and can only be used to replant trees throughout the City of Hammond. So we have used that in the past with matched grant funds and whatnot so just to kind of give you a quick overview and to clarify that this is always helpful information that comes from residents and obviously the concern for the vegetation in that area is raised by the neighbors in that area; but the City does have a very specific way to go about tree mitigation and that will be handled by the City arborist and I think he's already informally visited the site. He's just filling out all of his paperwork that has to be completed before the final permits are issued.*
- *Jessica Shirey – Ok.*
- *Jen White – My questions was...*
- *Pierre Theriot – I was just gonna say since that piece of paper was handed out and you know Robert Morgan (City arborist) is gonna verify and give his official opinion. But I know that Live Oak is you know the word the type of tree, Live Oak*

is a very hot button word and she's this person that put together this map claiming that one of those trees is a Live Oak. I've been to the site several times and I went back again after this came out and that is absolutely, positively not a Live Oak tree. It's a Water Oak tree. It's just a really, really big one. So anyway, I just wanted to anyway...

- *Inaudible comment from the audience.*
- *Jen White – I understand that this is not necessarily drawn to scale or drawn by anybody with any sort of training. All of these trees that are indicated regardless of their location are going to be removed to put...?*
- *Pierre Theriot gives an affirmative response.*
- *Jessica Shirey – I think we had more public input.*
- *Melanie Ricketts – Hi, my name is Melanie Ricketts. You remember I was here at the last meeting and I opposed the moving of the building that is in the current space. So it would be kind of silly for me not to have an issue with the plants. I did also file an appeal and like Carlee told you that was not placed on the agenda. I was hoping that, that would be resolved but it also brings up another issue because you're making a decision on something that is still in the appeal process and I didn't really hear – Ms. Garcia can you read Andre's?*
- *Jennie Garcia – Yeah. It says, "There is nothing to prevent the Commission from reviewing the application for 206 E. Morris or otherwise take action on this. As a practical matter if the council hears the appeal and reverses the decision the house will need to be put back if it had been previously relocated. The applicant should be made aware of the appeal and this possibility. You should also give the applicant notice that the Council will likely have the appeal on the agenda for its July 28th meeting."*
- *Melanie Ricketts – Ok. Carlee do you have what he based that on? Do you have the documentation about where that came from or is that just Andre's opinion?*
- *Carlee White Gonzales – That's Andre's opinion.*
- *Melanie Ricketts – Ok. So you'll be making a decision while this is still an appeal and you'll be setting a precedent for appeals moving forward. So basically what that says that if Mr. Easterly which is not that before anything to do with this is more about the process; but someone who has a property that's in appeal decides to go ahead and do whatever they were gonna do anyway which is their right. But if and we'll use this as an example though it really doesn't matter. If the house is moved and then the appeal is overturned which nobody knows and that the house has to be put back that seems excessive and it seems like it would put the Historic District Commission in danger of legal action because someone's paid the cost and it also, if you're talking about historic property you've violated the materials and the preservation of the buildings.*
- *Jessica Shirey – So just really quick, I know that with our previous ruling if you will, it was pending all of getting all the proper permits and stuff through Planning and Zoning.*
- *Melanie Ricketts – Right.*
- *Jessica Shirey – I'm not sure that they – one that they can do that without...*

- *Melanie Ricketts – I don't think that is going to happen and I'm not talking about the...*
- *Jessica Shirey – So the house wouldn't be moved until this is completely settled.*
- *Melanie Ricketts – Right and I don't think that's going to happen. But I'm talking about the process for appeal because I think that the expectation is that whenever there's a decision, the protection for the public interest is that there's still always the right to appeal.*
- *Jessica Shirey – Sure.*
- *Melanie Ricketts – And by not reviewing it, that's questioned to me and I don't know where that decision came from.*
- *Jessica Shirey – You know whenever this came up and I'm honestly, whenever it first came up with the appeal in fact we discussed this at the work session that we would know if it's on the agenda on Tuesday night. Well we'll know if we need to discuss this on Wednesday or not. Whenever it came up that it wasn't going to be on the agenda this week my first – again me, my first instinct was well we just continue on because at this point we do not have, we have a judgement at this point. It hasn't been overturned so we can if you stop a process constantly just because of one thing or another, somebody says wait then we really it's, it's not conducive to...*
- *Melanie Ricketts – Right and it's not by appeal it is not based on stalling or causing any problems for the applicant. That's not it. It's really just to review the process. And this is part of the process and I just may ask (inaudible) that you're very clear about it. This is not just going to be a – this could be a problem in the future not necessarily just for this application or this building. So I just wanted to make that clear.*
- *Jen White – But my personal thought is I think the Commission when we make a decision on this could say assuming well not assuming anything, if it's approved that it's pending you know what I mean that's what...*
- *Jessica Shirey – Well everybody has a right to appeal. There is always that window.*
- *Jen White – We can always put a caveat in there if things don't move forward until the relocation issue is settled but in the interest of...*
- *John Exnicios – Based on what you're saying I'm understanding that you're concerned that the building could be moved while it's still basically being appealed and then moved back.*
- *Melanie Ricketts – And not just this building. I'm talking about any other work or...*
- *John Exnicios – So just for understanding clarity, is it not correct that, that's not possible because all the proper permits...*
- *Jessica Shirey – Unless they absolutely violated the ruling. I mean it's not supposed to be moved.*
- *Melanie Ricketts – And that's not until the 28th? That falls within that?*
- *Jessica Shirey – They're moving that building is contingent on obtaining all of the permits that they need to move forward with this project. That means that this whole new building has to go through Planning and Zoning and all of that and get*

permitted for this new building before – not just permits for relocation but permits for the new construction.

- *John Exnicios – Can an appeal stop the final permit? Like will they permit, they will do the final permitting even with an appeal outstanding?*
- *Jessica Shirey – Well then, that I don't know with the...*
- *John Exnicios – Because that isn't, that to me would be a concern.*
- *Jen White – And that is what I'm saying.*
- *John Exnicios – That to me would be a concern if they allow the final permit will there's an appeal still (inaudible).*
- *Jen White – I would agree with that and that's what I'm saying, perhaps that what we could do is say that this step is pending the figuring out of previous steps that you know what I mean that yes we want to allow you guys to move forward time wise and we don't want to have to wait till next month to do this whole thing again but a decision that we make is pending figuring out the appeal.*
- *Shauna Seals – May I ask a question please? You're an attorney?*
- *Carlee White Gonzales – Yes.*
- *Shauna Seals – In a general appeal process does another decision get made before the appeal is reviewed or whatever?*
- *Carlee White Gonzales – I would say that if it is a different decision. I like the suggestion of this being voted on and if it passes being contingent on the appeal because obviously that step determines whether or not...*
- *John Exnicios – Yeah I think so we can safe guard our...*
- *Carlee White Gonzales – If you want to interlocutory appeal for something that you are just deciding one issue on the case – the case is still moving forward while that issue unless it is a determinant.*
- *John Exnicios – Yeah, so can we safe guard that by if we agree to approve this we're approve it pending the appeal is not...*
- *Jen White – Is, that issue is resolved before.*
- *Shauna Seals – I think we also hear that we as a Commission need to work on our processes so that we're consistent in the way that we are perceived. I'm not sure that we are.*
- *Melanie Ricketts – And that's why I want to be clear because I don't want to cause problems for someone else down the line because the point of my ability to appeal is in the public interest.*
- *Jen White – Right...*
- *Jessica Shirey – When is this going before Planning and Zoning?*
- *Pierre Theriot – We are submitting the drawings on July 31st.*
- *Jessica Shirey – So it will be after the appeal anyway.*
- *Melanie Ricketts – But in the future if someone else came up and they had an appeal they could call a special meeting it could be, there's the possibility that it could be pushed through and I don't want to be the cause of other people not being able to have their right to appeal and that it, it sets up a case for there be a way around it. Because it is an important part of your process and I would hate to violate or risk that.*

- *Jen White – And I think you bring up a good point especially when it comes to a relocation of a house. I understand that it's not going to get moved before things you know what I mean, get figured out. But if we're playing the world of you know what I mean, what ifs, absolutely moving a house and then having something appeal and having to return the house did damage historic fabric. So that is absolutely something that we don't want to have and I think that...*
- *Melanie Ricketts – And I don't think it would be fair to the applicant too, I think.*
- *Jen White – No, it's an excellent point. I think that, that's warranted and that's something that we should absolutely take into consideration.*
- *Melanie Ricketts – Alright and also just to let the people who weren't here that voted last time, your approval of this application is also based on that decision that's still in appeal. That the building which is a contributing element of the historic district will be removed but demolition by removal is that it's, it is basically. So even though you're not voting on that this vote also reflects that, that's something that you're in agreement with. I just want to make that clear. Alright.*
- *Jen White and John Exnicios both state that they do not agree with Melanie's statement and that what she is saying is an opinion. Melanie Ricketts states that then it is her opinion but it is also a precedent.*
- *Jessica Shirey calls for more public input. None is given.*
- *John Exnicios – I make the motion to approve.*
- *Jessica Shirey – Well you want to make it pending?*
- *John Exnicios – So, I motion to approve pending the appeal to be resolved or pending the appeal to be resolved.*
- *Jessica Shirey – Did you get that?*
- *Jennie Garcia – On July 28th correct?*
- *Jen White – I don't know if we need to put a date on it because what happens if it gets...*
- *Jessica Shirey – For some reason that it gets moved...*
- *Carlee White Gonzales – You can refer back to when you established the appeal at your meeting date so you can refer to that item.*
- *Jessica Shirey – The appeal from the June 17th application for relocation.*
- *Motion to approve the application as presented pending City Council's resolution of appeal for relocation by John Exnicios. Second by Roy Blackwood.*
- *Vote: Jessica Shirey (Y), Shauna Seals (N), Ryan Faulk (R), John Exnicios (Y), Jen White (Y), and Roy Blackwood (Y)*
 - *Motion Approved: 4-1*

***Ryan Faulk enters back into Council Chambers. ***

- **Updates From Director:**
- **Compliance Update**
 - **Damaged Awnings**

- Spoke with Tommy's on Thomas (216 W. Thomas) owned by James Webb and he is working on getting an estimate for the awning and is aware that the awnings need to be addressed.
 - 220 W. Thomas – Harvey Cook which is also part of the same Nicholosi Building; C.C. Gaiennie (City Building Inspector) has contacted the realtor for that space who is aware that the awnings need to be repaired and he is also trying to get in contact with Harvey Cook to try and at least get the fabric taken off
- 411 W. Thomas – Super King Seafood
 - Called this morning wanting to know if he can enlarge the approved concrete pad for his generator.
 - Application was approved at the June meeting for a 6' x 12' concrete pad.
 - Wants to enlarge the pad to 7' x 14' so that if there is needed maintenance someone will be able to move around the generator since there will be a cedar fence installed around it.
 - Commissioners state that this is not a significant increase in size and state that the property owner can increase it without having to submit another application.
- **Budget**
 - We have a new budget for 2021 which is \$7,000 and we encumbered \$284.11 leaving the available budget at \$6,715.89.
- *Roy Blackwood – Do we have any update from the DDD about the sign discussion that we had a couple of months ago?*
- *Jennie Garcia – they're wanting to put a temporary wayfinding and Chelsea said that they are ok with paying for that but I think right now they're trying to coordinate Hot August Month. So I think that is their top priority right now.*
- *Roy Blackwood – I just don't want to see the process get circumvented.*
- *Ryan Faulk – Jennie, I'll work with you for our next work session to set the agenda to start talking about the street cafes.*
- *Commissioners also agree that it would be beneficial to work with the DDD and Planning and Zoning to discuss issues that come up in the Historic District and to possibly set up quarterly meetings to discuss new ideas or issues that may come up.*
- *Roy Blackwood states that he's been looking at other historic districts regarding outdoor cafes/seating and how it has been difficult in finding examples. And the difficulty of having existing businesses comply with a new set of guidelines as opposed to building in a new area. States that the document in place that was created a few years back is a good start since it has to be interfaced with Planning and Zoning.*
- *Commissioners continue to discuss the difficulty in the use of words in creating guidelines due to the changing nature of materials and concepts. This makes it hard to define a specific set of circumstances versus intent.*
- *Discussion also covers the idea of writing down issues that arise and how to maybe address them and to use these topics at a Commissioner retreat so that adjustments can be made to the guidelines and can be voted on by City Council.*
- *John Exnicios asks about their opinion on color. Jessica Shirey states that that applicant for 114 N. Cypress asked the Commission to choose a color. Commissioners state that there is some guidance in the guidelines regarding color and that guidance is to use earth tones. Commissioners*

also state that there is a difference with color for residential buildings versus commercial buildings. Commissioners also state that there was a lot of discussion put into the paint guidelines and that if a building is unpainted brick then it cannot be painted but if the building that have paint on them and can be repainted. Commissioners state that this is something that might need to be stated in new construction due to the trend to paint new brick buildings. Commissioners also state that one of the reasons to have the paint color on file is for inventory purposes. Commissioners continue to discuss the processes for reviewing applications.

- Shauna Seals states that this process needs to be looked at again at one of the work sessions in order to remain consistent and fair. Shauna also states from her view, HHDC does state too many opinions into decision making. Shauna uses the removal of the 2 West Morris houses and the East Morris houses as an example on how the Commission needs to align the definition of economic development if that is the reasoning for allowing the East Morris house to be moved.
- Commissioners continue to discuss the decision making process of approving applications.

- **Public Input**

- **Melanie Ricketts** – I wanted to thank you all and I wanted to make sure that you understood that my appeal is not about, it's not personal. I am very, very protective of the historic buildings in our community and I am just as protective as the process here and that's why I wanted to make sure that it was clear. I knew that the City Council was trying to determine whether or not I was considered a person. If I could, if I could even appeal and there was obviously some finagling with that behind the scenes. So ultimately though, it's important for me to protect your process and it's funny that ya'll are talking about the opinion thing because one of the things that I've noticed lately and it came up again today and I didn't talk about it because I came to talk about the other thing. But if you look at the guidelines for masonry and this goes for what you were talking about earlier. Applications of non-traditional masonry coatings such as weather proofing and water repellent to masonry as a substitute for repointing or repairs is not permitted. The use of water repellents may be considered only if appropriate masonry repairs have failed to eliminate water penetration problems. So if somebody has water that's coming into their building and they're and they want to coat it, it's really important to find out if there's something else going on and I know that last meeting at 111 N. Oak Street, that there was an application. They guy said that he had problems with water intrusion because he had fixed his roof and also the mortar was damaged but then he got approved to put a coating on it so when he goes to his contractor who doesn't understand historic brick and he's been before seven experts and he puts this coat on his building and it doesn't resolve his issue. It's not going to be the contractor's fault. It's not going to be your fault. It's going to be the building's fault and then you'll have something else to deal with, with the building. So this is a very clear instance where there is a guideline that says you cannot put those coatings on this building. If there's some kind of technology that's been updated since the guidelines were written, that's one of the things that needs to be changed because I've had, I've seen other people come up and ask for the same treatment and had been declined and like you were saying legally if the guy, if you know something happens with the exterior and he's been approved for something that's not allowed in the guidelines, legally they could come back and it could cause problems.
- Jessica Shirey – So this is already done to the building.
- Jen White – We did have this discussion just so you know had that same thought process at the work session.

- *Ryan Faulk – The thing that came before us that I was present for that I remember specifically rejected were, where they wanted to paint – provide a painting of the existing brick. I think that happened behind Parlour 106 and then you remember the Livingston Lodge. They wanted to put rhino shield, a clear acrylic on that brick which is completely and that’s not what Mr. Holly came before us to put in.*
- *Melanie Ricketts – Right now and you know what’s going on with that but like with this other day you were talking about being a resource. So if he’s gonna put something on that’s not allowed that’s to me that’s a variance and it’s also not going to suit his building. Asking him you know what’s really going on with the mortar going and looking at the building, actually what kind of bricks does he have, if you put that kind of – I sat in an almost two day long training on bricks. I went to Madame John’s Legacy and I asked this question because at the time we were having a lot of problems with this. This is something that always comes up. I said is there any reason that you would ever coat a brick and the guy said no, not unless it was damaged. So to me this guy’s like...*
- *Jessica Shirey – So we went into the discussion the difference between sealing and the repellent and...*
- *Ryan Faulk – There are a lot of new technologies out there.*
- *Melanie Ricketts – There are a lot of new technologies.*
- *Ryan Faulk – The sealing of a brick is definitely unacceptable in any regard and we in the practice speaking as an architect and in a construction industry for a long time, we never, ever advise anybody to put any kind of a sealant coating on a brick wall as masonry restoration goes. I mean that’s part of one of the standard processes – especially in our climate we deal with you know...*
- *Jessica Shirey – If SHPO (State Historic Preservation Office) gave them or if he (Michael Holly) went through SHPO and got tax credits and had this, I mean unless he’s not being truthful and it was done the obviously approved it. So if that’s with the secretary of standard of interior, you know what I’m saying, that why would it be different if it’s okay for them...*
- *Melanie Ricketts – I didn’t see that documentation and I think that’s a very good point and what you’re talking about painting the brick. When somebody leaves here and they are going to go and put whatever they want on their building, there’s no check after this. So having them bring the product and really know what the, there are different kinds of bricks if you have a handmade brick and you have a machine brick, that’s different. But you have to look at the building, there’s the transmutation of the moisture moving in and out of brick. All of that stuff. So it’s, the information is out there but relying on what people tell you, people are telling you what their contractors tell you and I’m not talking about this case but in general is very dangerous and when you have something in writing that says you can’t do it, it just could come back and cause problems. So it’s interesting that ya’ll are talking about that because I was thinking about that and one other little – just point thing its back to litigation. I don’t mind being timed. I don’t have a problem with that. I guess it’s necessary but if some, when I and I want to apologize because I was kind of a smart aleck when I was here last time because between coming in it was announced that everybody was timed and I didn’t hear that so when Susan timed me out I was confused.*
- *Jessica Shirey – And I will address that because I did, I know I talked to somebody about that. Susan was not in charge of that at that time. I was and I didn’t call time on you simply and mostly because other people got to speak longer as well. So I was not going to I mean obviously at some point something’s gotta stop but...*

- *Melanie Ricketts – Which is the director of the meeting that I think is something you can regulate.*
 - *Jessica Shirey – At the time, that is why I didn't acknowledge that she said that okay. So if I'm sitting at the gavel and I don't say it, then it doesn't you know what I mean as far as calling you...*
 - *Melanie Ricketts – I know that and that's why I ignored it but other people might not.*
 - *Ryan Faulk – If you walk in late and you didn't get (inaudible) that's understandable.*
 - *Jessica Shirey – But you know what, what's the point of having that? Is running a meeting is being in charge of it, is you're the one that's regulating it and at that meeting last week the mayor sat here and talked for about 15 minutes and then if she wants to come afterwards and has a three minute limit that's not fair. We're, unless there's another line of people trying to come in and talk I'm not going to do that. That's unfair.*
 - *Melanie Ricketts – Okay, that's what – exactly and for me I understand, but when you have somebody who doesn't see this process in the same way it looks very arbitrary and capricious. When I, sometimes when we would have things that I knew there were gonna be a lot of people there and we needed to time people because there were a certain amount of people, if you put it on the bottom of the agenda I think Planning and Zoning does it that way for this meeting, we will have this so people are aware and they don't, there's no...*
 - *Jessica Shirey – And I hate limiting something to a 3 minute – if we're having a discussion. There's a lot more that can come out but if you say again, it can be said that there's a 3 minute time limit it doesn't have to, that to me should be arbitrary.*
 - *John Exnicios – It's a recommendation to monitor your time.*
 - *Jessica Shirey – If it comes to filibustering then...*
 - *Ryan Faulk – The point is to limit a filibustering act.*
 - *Discussion continues on the use of a time limit for public input and when and where it should be used and monitored.*
 - *Melanie Ricketts thanks the Commission for their time.*
 - *Jessica Shirey – We do need to figure out a date for a retreat.*
 - *Commissioners discuss that there is a need for a retreat and this can be discussed at a work session. Commissioners also discuss murals found within the Historic District.*
- **Adjournment:**
 - Motion to Adjourn by Jessica Shirey and seconded by Roy Blackwood.
 - Vote: Jessica Shirey (Y), Shauna Seals (Y), Ryan Faulk (Y), John Exnicios (Y), Jen White (Y), and Roy Blackwood (Y)
 - Motion Approved: 6-0