

<p style="text-align: right;">1</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6 TRANSCRIPT FROM DIGITAL RECORDING</p> <p>7 OF</p> <p>8 CHEROKEE TRIANGLE ARCHITECTURAL REVIEW COMMITTEE</p> <p>9 18COA1328 - CASTLEMAN MONUMENT</p> <p>10 JANUARY 23, 2019</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 SHERRILYN D. RHODE, RPR, CCR-KY</p> <p>24 CERTIFICATE NO. 20042A100</p> <p>25 ASSOCIATED REPORTERS</p> <p>P. O. BOX 22347</p> <p>LOUISVILLE, KY 40252</p> <p>(502) 585-4513</p>	<p style="text-align: right;">3</p> <p>1 applicant will have the time to give testimony.</p> <p>2 Questions to the applicant and/or staff from the</p> <p>3 committee will happen next. After that, we'll take</p> <p>4 testimony from interested parties, first in favor of</p> <p>5 the application, second opposed to the application,</p> <p>6 and third people that just want to get up and give a</p> <p>7 statement.</p> <p>8 If you plan on getting up and giving a</p> <p>9 statement, there are slips in the back of the room.</p> <p>10 Please fill it out and bring it up to the front of</p> <p>11 the desk. When you get up to give a statement,</p> <p>12 please state your name, your address for the record.</p> <p>13 Before you make any other statement.</p> <p>14 Everyone wishing to -- everyone is</p> <p>15 going to get a chance to be heard. What we do is ask</p> <p>16 is that you try to keep your -- keep your testimony</p> <p>17 pertinent to the items at hand and try to not be</p> <p>18 redundant. If something has been said five times,</p> <p>19 you can state that that is your position, but there's</p> <p>20 probably not a need to go into further elaboration on</p> <p>21 it.</p> <p>22 After the -- after the testimony the</p> <p>23 applicant will again have a chance to answer any of</p> <p>24 the items brought up during the testimony and</p> <p>25 committee members may ask additional questions of the</p>
<p style="text-align: right;">2</p> <p>1 Office@AssociatedReportersLouisville.com video</p> <p>2 MR. GROSS: 5:30, we're going to go</p> <p>3 ahead and get started. Welcome to the January 23rd,</p> <p>4 2019, meeting of the Cherokee Triangle Architectural</p> <p>5 Review Committee. The meeting is called to order.</p> <p>6 Members present today are, attending</p> <p>7 his first meeting, Chris Fuller -- welcome -- Tamika</p> <p>8 Jackson, Dave Marchal, Gail Morris, Monica Orr, and</p> <p>9 myself, Michael Gross, as chair of the committee.</p> <p>10 There is only one item on tonight's</p> <p>11 agenda and it's the application for Certificate of</p> <p>12 Appropriateness, Case 18COA1328, and I'm going to</p> <p>13 make a few quick comments and lay out the process for</p> <p>14 tonight before we get going.</p> <p>15 So the process is going to be staff is</p> <p>16 going to give a report. The report has -- the report</p> <p>17 has been issued. It was provided to the committee</p> <p>18 members in advance of the meeting. Copies of the</p> <p>19 staff report have been available in the Office of</p> <p>20 Planning and Design Services and are available for</p> <p>21 review in the rear of the room. It will not be read</p> <p>22 into the record; however, the staff report for the</p> <p>23 case is on the agenda and it's hereby incorporated</p> <p>24 into the official record of this meeting.</p> <p>25 After the staff gives their report, the</p>	<p style="text-align: right;">4</p> <p>1 applicant.</p> <p>2 Then a committee member will make a</p> <p>3 motion. It will be either a motion to approve the</p> <p>4 application, a motion to approve the application with</p> <p>5 conditions, a motion to deny the application, or it</p> <p>6 could be to defer consideration of the item until a</p> <p>7 subsequent meeting.</p> <p>8 A motion needs to get seconded to be</p> <p>9 discussed. The committee will then discuss the</p> <p>10 motion. We'll call for a vote, and then after the</p> <p>11 vote we will adjourn the meeting.</p> <p>12 A few ground rules, I guess, please be</p> <p>13 civil and respectful of everyone's opinions. Please</p> <p>14 keep your comments limited to a reasonable amount of</p> <p>15 time, and keep in mind that the committee is</p> <p>16 comprised of all unpaid volunteers with the exception</p> <p>17 of Dave who is a -- so we are just here to make a</p> <p>18 decision based on the facts that are presented here,</p> <p>19 the guidelines, and the ordinance.</p> <p>20 If you feel you could do a better job</p> <p>21 and live in the neighborhood, we have an opening on</p> <p>22 the committee for somebody with architectural</p> <p>23 experience. Feel free to submit an application to</p> <p>24 staff and give them a call.</p> <p>25 As always, somebody who is unhappy with</p>

<p style="text-align: center;">5</p> <p>1 the decision has the right to appeal it.</p> <p>2 And last, but most importantly, I'm</p> <p>3 going to wish a happy birthday to my now 12-year-old</p> <p>4 son, Siggy. And that being said, Cynthia.</p> <p>5 MS. ELMORE: Good evening. Let me pull</p> <p>6 up the presentation. Good evening, ARC members. My</p> <p>7 name is Cynthia Elmore. I'm the preservation officer</p> <p>8 and Planning and Design supervisor for the Landmark</p> <p>9 staff. I'll be presenting the case to you tonight,</p> <p>10 which is 18COA1328. It's the parcel ID</p> <p>11 07F-3000-0000, four zeros. It is the roundabout at</p> <p>12 Cherokee Parkway and Cherokee Road.</p> <p>13 Just to give you a little bit of</p> <p>14 orientation in the district, this is the roundabout.</p> <p>15 This would be Cherokee Parkway, Cherokee Road, and</p> <p>16 Bardstown Road is right here and then Cherokee Park</p> <p>17 here.</p> <p>18 The request from the applicant is to</p> <p>19 remove the existing statue and plinth from the</p> <p>20 referenced site and relocate them outside of the</p> <p>21 Cherokee Triangle Preservation District. Existing</p> <p>22 landscaping will remain and the new area -- the area</p> <p>23 newly exposed by the removal of the statue and plinth</p> <p>24 will be planted with ground cover plantings to</p> <p>25 compliment the existing landscape design.</p>	<p style="text-align: center;">7</p> <p>1 shown as far as the form goes.</p> <p>2 This is a photograph in circa 1905 and</p> <p>3 this shows the site with landscaping as it was</p> <p>4 originally designed. There is also a grassy area</p> <p>5 around it. You'll see that that continues to</p> <p>6 1907-ish, a photograph. Here is the site. The</p> <p>7 landscaping had changed to some trees. As you can</p> <p>8 see down to -- that's the view toward the park.</p> <p>9 This is after 1913 when the statue had</p> <p>10 been installed. You can see that more formalized</p> <p>11 curbing had been added to the site.</p> <p>12 This again is the site today and in the</p> <p>13 considerations of the design guidelines, the</p> <p>14 applicable design guidelines would be the streetscape</p> <p>15 and open space guidelines and they -- and those would</p> <p>16 be SS1 and SS3. They do meet the project -- the</p> <p>17 application meets those guidelines as the roundabout</p> <p>18 will remain unchanged in terms of design, materials,</p> <p>19 and circulation pattern. The roundabout will remain</p> <p>20 in its original configuration.</p> <p>21 The existing statue and plinth were</p> <p>22 added in 1913 after the original construction of the</p> <p>23 roundabout and streetscape design. Complimentary</p> <p>24 landscaping is proposed to be installed in the space</p> <p>25 where the statue and plinth are being removed.</p>
<p style="text-align: center;">6</p> <p>1 The site will remain as an opportunity</p> <p>2 site for future public art installations. Any future</p> <p>3 proposed art proposal requiring a Certificate of</p> <p>4 Appropriateness will be brought back to the Cherokee</p> <p>5 Triangle Architectural Review Committee for review</p> <p>6 and approval.</p> <p>7 This is the actual site itself, some</p> <p>8 photographs looking towards Cherokee Park, and then</p> <p>9 looking at the site, the statue. We are going to go</p> <p>10 around the roundabout and the different angles on it.</p> <p>11 This is Cherokee Road over here, to orient you.</p> <p>12 So the background on this site is that</p> <p>13 original plat was submitted in the late 19th Century,</p> <p>14 in 1893 or so, originally named Finzer Avenue. It</p> <p>15 was conceived as another entrance to the park. You</p> <p>16 can see this is Finzer Avenue with the roundabout.</p> <p>17 There is also the roundabout for Eastern Parkway</p> <p>18 which is laid out up here, just to orient you.</p> <p>19 The site started showing up on Sanborn</p> <p>20 maps. This is the 1905 Sanborn map. Keep in mind</p> <p>21 that Sanborn maps, it's not like today's technology,</p> <p>22 so they were sort of a work in progress. So this is</p> <p>23 really the exact picture at 1905, but you get the</p> <p>24 sense of the roundabout starting to be made there.</p> <p>25 And then by the 1928 Sanborn map the roundabout is</p>	<p style="text-align: center;">8</p> <p>1 The applicable site design guideline is</p> <p>2 ST1. The original design of the roundabout did not</p> <p>3 include a sculptural element. The design of the</p> <p>4 roundabout was intended to serve as an</p> <p>5 organization -- organizing feature for the approach</p> <p>6 to the principal Cherokee Park entrance. That</p> <p>7 relationship will remain intact.</p> <p>8 Then the applicable demolition design</p> <p>9 guidelines, please keep in mind that the Landmarks --</p> <p>10 Landmarks ordinance definition of demolition includes</p> <p>11 a reference to moving any structure or portion</p> <p>12 thereof. The definition for a structure in the</p> <p>13 Landmarks ordinance is defined as any manmade object</p> <p>14 having an attachment to or location upon the ground</p> <p>15 or water.</p> <p>16 The proposal is to have the statue and</p> <p>17 plinth relocated to an alternative site outside of</p> <p>18 the district, but the objects themselves will remain</p> <p>19 intact. Thus, the proposed removal of the statue</p> <p>20 meets the applicable demolition design guidelines D1,</p> <p>21 D5, and D6.</p> <p>22 The Cherokee Triangle designation</p> <p>23 report references the Castleman statue in terms of</p> <p>24 its location, but does not specifically identify it</p> <p>25 as a contributing element of the district. The</p>

<p style="text-align: center;">9</p> <p>1 streetscape elements of the traffic circle will 2 remain intact.</p> <p>3 The recommendation is that the 4 application for Certificate of Appropriateness is to 5 be approved with the following conditions, that any 6 future public art installations or new construction 7 requiring a Certificate of Appropriateness shall be 8 reviewed and approved by the Cherokee Triangle 9 Architectural Review Committee.</p> <p>10 If you have any questions right now, 11 I'll be happy to answer them.</p> <p>12 MR. GROSS: Anyone have questions? 13 Would the applicant like to say anything?</p> <p>14 MS. LINDGREN: Hello. Good evening. 15 I'm Sarah Lindgren. I'm here representing Louisville 16 Metro Government as the applicant for the case. 17 Thank you to the Review Committee for holding this 18 public forum this evening.</p> <p>19 We've just heard the details of the 20 staff report addressing the applicable design review 21 guidelines. We are in agreement with the findings 22 and conclusions presented in the staff report.</p> <p>23 For the record, we want to add a brief 24 summary of the public process that has taken place 25 over the past 18 months and that led up to the</p>	<p style="text-align: center;">11</p> <p>1 as the Mayor's decision to remove the monument. 2 And, finally, I just want to reiterate 3 that pending the removal of the monument, any future 4 public art or future landscape design proposed for 5 the traffic circle would be subject to a public 6 process to the consideration of the Commission on 7 Public Art in the case of proposed artworks and to 8 this Architectural Review Committee, and I'm happy to 9 take any questions from the committee.</p> <p>10 MR. GROSS: Before opening it up to the 11 other committee members, I noticed that there was a 12 lack of a reason for the removal stated in the 13 application. Do we want to discuss that and set some 14 parameters for the discussion here tonight?</p> <p>15 MS. LINDGREN: I can -- in answer to 16 your question, I can add that the Mayor's decision 17 announced in August of 2018 was based on the report 18 that I mentioned that was submitted at the end of 19 June from the Public Art and Monuments Advisory 20 Committee.</p> <p>21 The role of this committee was to lead 22 the public process, which I already described, and to 23 take in public comment and to determine a series of 24 principles and criteria that would apply to any 25 artwork or monument in a public place. And I have a</p>
<p style="text-align: center;">10</p> <p>1 Mayor's decision and proposed removal of the 2 Castleman monument.</p> <p>3 Between August 2017 and July 2018 the 4 following took place, eight public meetings, a 5 two-day community engagement during Cherokee Triangle 6 Neighborhood event. Collectively these were held at 7 six different locations throughout the city. We have 8 received well over 1,000 public comments through an 9 online forum, through E-mails, letters, and 10 handwritten input forms provided during meetings and 11 engagements. We kept voluntary E-mail sign-in sheets 12 during public meetings and continued to distribute 13 information about meeting dates and locations to 14 about 100 E-mail addresses. Throughout the process, 15 meeting materials, public comments, links to videos 16 of meetings were all posted on the city's web page 17 throughout this period.</p> <p>18 This process culminated in a report to 19 the Mayor on June 30th of 2018, which was submitted 20 by the Public Art and Monuments Advisory Committee.</p> <p>21 After due consideration, the Mayor 22 announced his decision on August 8th, 2018, to begin 23 the process toward removal of the monument.</p> <p>24 The Commission on Public Art supports 25 the public process that was just described, as well</p>	<p style="text-align: center;">12</p> <p>1 copy of that report that I can read part of it, if 2 that would help answer your question, but this was 3 the basis of how the Mayor made his decision.</p> <p>4 This report is several pages long. For 5 the sake of answering your question, should I read 6 the main headlines of that report to answer -- and 7 see if that answers the question?</p> <p>8 MR. GROSS: Well, typically, and I 9 believe it's stated in the guidelines, that there has 10 to be some reason for the removal stated in the 11 application.</p> <p>12 MS. LINDGREN: Uh-huh, okay.</p> <p>13 MR. GROSS: So whatever reason you 14 would like to use.</p> <p>15 MS. LINDGREN: Okay. Okay, so the 16 report begins with a description of the public 17 process. It includes a summary of principles 18 regarding Louisville's public art and monuments. It 19 begins with the statement, monuments are not history. 20 Monuments are one of the ways that a city government 21 can highlight select historical figures and events 22 and make them accessible to the public. This means 23 that monuments in public spaces become sanctioned 24 versions of history. They reveal some parts of 25 history and hide others, while imposing on us notions</p>

<p style="text-align: center;">13</p> <p>1 of who we are and where we came from.</p> <p>2 However, monuments are often part of</p> <p>3 our art historical record and the city does have an</p> <p>4 obligation to preserve the record when possible,</p> <p>5 although not necessarily in a public right-of-way or</p> <p>6 civic space.</p> <p>7 The next principle states, our monument</p> <p>8 landscape reflects the history of monument-making,</p> <p>9 not necessarily the full history of Louisville, and</p> <p>10 this must be rectified. There have historically been</p> <p>11 a great number of reasons to build monuments. I'm</p> <p>12 going to skip ahead for brevity.</p> <p>13 To make sure that our lived experience</p> <p>14 monuments do not serve such purposes. Instead they</p> <p>15 should be tasked with representing a shared history</p> <p>16 to the public. Those in positions of privilege and</p> <p>17 power have largely determined that history and the</p> <p>18 public that it addresses. Thus, the city must</p> <p>19 occasionally revisit its monuments in order to adjust</p> <p>20 our landscape and ensure that it reflects a shared</p> <p>21 vision of our history.</p> <p>22 The next two principles state, our</p> <p>23 monuments must reflect the demographics and</p> <p>24 composition of our city as a whole. And the next one</p> <p>25 is monuments must be accessible.</p>	<p style="text-align: center;">15</p> <p>1 potential rallying point for racist or bigoted</p> <p>2 groups? Does the object celebrate a part of history</p> <p>3 that a majority of Louisvillians believe is</p> <p>4 fundamental to who we are and what we value?</p> <p>5 Monuments should reflect us and not some of us. And,</p> <p>6 finally, is the monument physically accessible to all</p> <p>7 Louisvillians and visitors? Does it make a nuanced,</p> <p>8 complex history accessible to its publics?</p> <p>9 So this is the report that was</p> <p>10 submitted to the Mayor in order to consider decisions</p> <p>11 about the Castleman monument and this is the criteria</p> <p>12 and principles that were used to make that decision.</p> <p>13 MR. GROSS: Any questions for staff or</p> <p>14 the applicant? None? Okay. All right. I guess we</p> <p>15 will move on to interested parties starting with</p> <p>16 those -- actually they say support groups. Nancy</p> <p>17 Gail Clayton --</p> <p>18 SPEAKER: Gall Clayton.</p> <p>19 MR. GROSS: Gall Clayton.</p> <p>20 MS. CLAYTON: Thank you. My name is</p> <p>21 Nancy Gall Clayton. The 40205 ZIP Code is 98 percent</p> <p>22 white --</p> <p>23 MR. GROSS: Would you state your</p> <p>24 address, please.</p> <p>25 MS. CLAYTON: 1818 Utica Pike,</p>
<p style="text-align: center;">14</p> <p>1 It goes on with another -- other</p> <p>2 principles. History is complex. Some historical</p> <p>3 figures and events provoke pride, others shame.</p> <p>4 Public interpretations of history should not shy away</p> <p>5 from the latter in favor of the former.</p> <p>6 One of the problems with monuments to</p> <p>7 historical figures is that they are not particularly</p> <p>8 well suited to nuance. A bronze figure towering over</p> <p>9 a city street gives the impression that this city</p> <p>10 celebrates the entire life of the figure depicted,</p> <p>11 but no life is beyond criticism and some of the most</p> <p>12 impactful Louisvillians are also very controversial</p> <p>13 figures. The city should not shy away from these</p> <p>14 problems.</p> <p>15 Then the report goes into criteria for</p> <p>16 evaluation. So this is the criteria by which the</p> <p>17 advisory committee outlined that the Mayor should</p> <p>18 consider when making a decision about whether to</p> <p>19 keep, remove, or alter a monument or an artwork in a</p> <p>20 public place.</p> <p>21 Given the principles outlined above,</p> <p>22 contested monuments should be evaluated based on the</p> <p>23 following criteria. Is the principal legacy of the</p> <p>24 subject depicted in the monument fundamentally at</p> <p>25 odds with current community values? Is the subject a</p>	<p style="text-align: center;">16</p> <p>1 Jeffersonville, Indiana.</p> <p>2 MR. GROSS: Thank you.</p> <p>3 MS. CLAYTON: The 40205 ZIP Code is 98</p> <p>4 percent white. We know that many of the 98 percent</p> <p>5 want the statue to stay in its current location, as</p> <p>6 do hundreds of other white people. But is there a</p> <p>7 single person of color who agrees? What kind of</p> <p>8 community is this if we allow a statue to remain that</p> <p>9 no person of color wants to look at in its current</p> <p>10 location? I support removal. Thank you.</p> <p>11 MR. GROSS: Okay. It has been pointed</p> <p>12 out that the statue is actually in 40204. That was</p> <p>13 the only speaker slip I had for people in -- that</p> <p>14 support. Is there anyone else that would like to get</p> <p>15 up and speak in support of the applicant? Yes?</p> <p>16 SPEAKER: (Inaudible.)</p> <p>17 MR. GROSS: Okay. We are going to move</p> <p>18 on to those opposed to the application. Richard</p> <p>19 Working?</p> <p>20 SPEAKER: (Inaudible.)</p> <p>21 MR. GROSS: Okay. Lynn Horrar?</p> <p>22 MS. HORRAR: My name is Lynn Horrar. I</p> <p>23 have lived at 2127 Edgeland Avenue for the last 30</p> <p>24 years. I've been a member of the Cherokee Triangle</p> <p>25 Association for 25. I do not see this issue as the</p>

<p style="text-align: center;">17</p> <p>1 lady that just spoke. I don't think it has anything 2 to do with race. I think I speak for the majority of 3 the silent in our community, in the Cherokee 4 Triangle, that we like that statue. It's a piece of 5 artwork. That's how we view it. It represents our 6 triangle. It's been our logo, our symbol. 7 I just do not believe it is a 8 Confederate statue. It has nothing to do with it, 9 and the silent majority feels this way. They're just 10 afraid of being called racists. That's the issue 11 with the city, too. The city is afraid of being 12 tagged as racist city. I think it's a shame that we 13 feel so afraid to speak our minds when we are afraid 14 of being called racists. It has nothing do with 15 that. 16 And the Cherokee Triangle area is such 17 an eclectic area, open, accepting, has nothing to do 18 with this, and I totally oppose removing a wonderful 19 piece of artwork that has represented our area for so 20 long. Thank you. 21 (Applause from the audience.) 22 MR. GROSS: Matthew Darnell. 23 MR. DARNELL: Hello. My name is 24 Matthew Darnell. I'm at 2716 Frankfort Avenue. I 25 just wanted to say I've lived in the area for a</p>	<p style="text-align: center;">19</p> <p>1 I kind of wonder what's next if we 2 start tearing down statues because I've seen this 3 happen in other states, Boston, Pennsylvania, 4 Georgia, so on, so forth. What's next? We start 5 burning history books because people are offended? 6 MR. GROSS: I'm going to have to really 7 back in and we're just going to have to focus on the 8 Castleman statue -- 9 MR. SVOBODA: Well, that's part of the 10 point. That's part of my point. But if this offends 11 so many people, what else is going to offend people 12 that we start tearing everything down? What if I 13 said Muhammad Ali dodging the draft offended me? Do 14 I -- you know, do I start petitioning to tear down 15 what was created in honor of a great boxer that was 16 born in Louisville? That's my point exactly. 17 She said only a thousand people 18 responded on the page, but there's many more 19 thousands and thousands of people that live in 20 Louisville. So just over a thousand is a small 21 minority compared to the great population of the city 22 itself. 23 Monuments do reflect all of us. If we 24 start tearing stuff -- if we start tearing down our 25 history, we're doomed to repeat it. That's an old</p>
<p style="text-align: center;">18</p> <p>1 little over a year. I enjoy the statue. I like 2 driving by it. It's really nice looking. That's 3 just on a personal level. 4 On a broader level, if you go to any 5 city in Europe, they have statues a thousand years 6 old. My point is that a statue is not an affirmation 7 of someone's character. It's just recognizing an 8 influential person in that community. So that's all 9 I have to say. 10 (Applause from the audience.) 11 MR. GROSS: John Svoboda. 12 MR. SVOBODA: Yeah, I'm -- I'm opposed 13 to -- 14 MR. GROSS: Name and address, please. 15 MR. SVOBODA: John Svoboda, 129 North 16 Clifton, Louisville, Kentucky. I'm opposed to the 17 statue being taken down. I imagine Mr. Castleman now 18 is probably rolling over in his grave to figure out 19 what's going to happen, being he donated the money -- 20 or donated the property, from what I've read, to the 21 park, as well as Iroquois Park and Tyler Park. 22 I also understand that he fought on 23 both sides of the war. So if this is an issue as far 24 as racism, I don't know. I mean, I don't think he 25 would have done that as well.</p>	<p style="text-align: center;">20</p> <p>1 saying. I think that still holds true today. 2 Everybody is different. We were all 3 created differently, our opinions and like-minded -- 4 different ideas is what makes, I believe, the country 5 great, plus the city of Louisville great, and I 6 believe we just -- where are we going to -- where is 7 it going to end is my question for a lot of people to 8 really ponder? You know, if a small group of people 9 get offended, we just start tearing down every -- we 10 just -- where does it end, you know? And that's all. 11 That's really all I've got to say. 12 MR. GROSS: Thank you. 13 MR. SVOBODA: Thank you. 14 (Applause from the audience.) 15 MR. GROSS: Ron Smith? 16 MR. SMITH: Thank you, sir. I may be 17 the newest guy in town here. I came from Chicago ten 18 years and I live at 1400 Willow Avenue and my -- I'll 19 keep my remarks short here, but I am for -- I'm 20 definitely opposed to the statue coming down and I 21 guess it's because I don't believe in changing -- 22 we're dealing with history for monuments. I lived in 23 Washington, D.C., for quite a while and there's a lot 24 of monuments maybe controversial there, too. 25 But as the previous gentleman said, I</p>

<p style="text-align: center;">21</p> <p>1 would agree with this person, with his theory about 2 let's not just worry about changing history. They're 3 all there.</p> <p>4 And I have two examples. I was in the 5 travel business and saw a lot of the world, but, you 6 know, think about Rome. They didn't tear down The 7 Colloseum because the Romans were killing Christians. 8 It's still a big institution right now. Think about 9 London. They didn't take down the Tower of London 10 because Henry VIII had trouble with women, you know, 11 and stuff like that.</p> <p>12 So I'm all for keeping the statue. I 13 think it's a beautiful thing and I think it would be 14 a tragedy, as previous people said, to let the 15 minority determine its future. Thank you.</p> <p>16 MR. GROSS: Thank you. 17 (Applause from the audience.) 18 MR. GROSS: Brandon -- pardon? 19 MR. CALLEN: (Inaudible.) My name is 20 Brennan Callen, 10428 Bluegrass Parkway, 40299. I've 21 got a paralegal degree, as well as six other college 22 degrees. I'm a distant relative of Castleman, as 23 well as Mayor Greg Fischer, and what I'm here to tell 24 you about today is that Mayor Fischer is 25 genealogically related to the people who are listed</p>	<p style="text-align: center;">23</p> <p>1 owns it because -- and now you do, too. You've got 2 the names of all those people and even the dollar 3 values.</p> <p>4 I challenge you as a committee to look 5 at the legal aspect which is, if the Mayor doesn't 6 have a bill of sale, if he doesn't have a title or a 7 deed, he's stealing yet another monument that the 8 city does not own. And so, therefore, you-all would 9 be participating unwittingly in his embezzlement and 10 theft of another monument, so there's the legal 11 aspects --</p> <p>12 (Applause from the audience.) 13 MR. CALLEN: There's the legal aspects 14 that we need to talk about.</p> <p>15 I can go -- we can all go on about his 16 positive accolades, and that's not my goal. There's 17 a wonderful research that you can do online about 18 that; but the big thing is, that if you don't have 19 the ownership, then this is just really a moot 20 conversation and we need to take and get the city 21 back to taking care of the other things that they've 22 all promised to do.</p> <p>23 Now, so part of what I also want you to 24 know is that -- what is a cenotaph? The legal word 25 of a cenotaph is that it is a grave marker when a</p>
<p style="text-align: center;">22</p> <p>1 as the original subscribers for the Confederate -- or 2 for the Castleman monument. I was the plaintiff 3 trying to help preserve the Confederate monument as 4 well, so I've already spent many hundreds of hours on 5 this.</p> <p>6 Why I gave you this is -- she did a 7 wonderful presentation, but there was an important 8 thing that's left out of that parcel number. Who 9 owns it? The land was originally owned by none other 10 than Castleman and then why I gave you this document 11 from 1913, from February of that year, the 12 Courier-Journal enumerated every single name of the 13 people who paid for and who currently own that 14 monument.</p> <p>15 So this discussion today is really a 16 moot point because the city of Louisville, Jefferson 17 County properties, Metro Government, whichever title 18 you want to use, doesn't own the land and it's not 19 officially in your park. It was sort of on the road 20 in between there.</p> <p>21 Now, I agree with what she did, the 22 good presentation of having the parcel ID. If you go 23 to the property Valuation Administration, what you 24 will learn from Tony Lindauer is that the city 25 doesn't even know who owns that land. I know who</p>	<p style="text-align: center;">24</p> <p>1 body is buried elsewhere. That monument isn't public 2 art. We went through all those meetings that she 3 mentioned and the problem is it is not public art. 4 That is essentially a headstone for a body that's 5 buried elsewhere.</p> <p>6 Now, you would say, well, we don't have 7 that scenario happen elsewhere. Another of our 8 cousins is George Rogers Clark. If you go to Locust 9 Grove, you will see there's a stone there. When they 10 moved the physical cemetery from one spot at Locust 11 Grove to another, they moved all of the bodies over 12 to Cave Hill Cemetery and the word cenotaph is on 13 there.</p> <p>14 And so what you need to know is that 15 this actually -- the monument comes under Kentucky 16 Revised Statute cemetery laws. It is a venerated 17 object and legally anybody disturbing it could be put 18 into jail, including the Mayor. It's time to 19 recognize the law that he swore to uphold and to stop 20 playing fast and loose with our monuments.</p> <p>21 Now, we need to learn from history. He 22 was absolutely right. Now, that monument reflects 23 all sorts of aspects of American culture. It has 24 good, bad, ugly. It has horse breeding. It has all 25 sorts of unique things. It's a conversation piece.</p>

<p style="text-align: center;">25</p> <p>1 So it's gotten us to have a good dialogue. That I 2 support.</p> <p>3 All right. So what you have is a legal 4 parcel of land which is being stolen in front of our 5 very eyes and that monument is a physical piece of 6 property on top of it. When you have the two 7 separate pieces, that comes under KRS 393 which is 8 called escheat laws and that's a dispute that the 9 treasurer actually has to decide, not the Mayor and 10 not this body.</p> <p>11 Let's move on to the next topic, which 12 is that the Attorney General -- I have a copy of his 13 opinion linked up here with this article I gave you, 14 and the Attorney General's opinion of OAG17 -- 15 meaning 2017, -23, it was his 23rd decision that 16 year -- he had an opinion that the Mayor who had 17 sought protection many years ago, a different mayor, 18 did not have the legal authority to ask for the 19 Kentucky Heritage Commission's protection on a 20 different -- John Cable Breckenridge monument, which 21 is the namesake for Castleman.</p> <p>22 And so what they did was, the current 23 Attorney General said, well, the combined city 24 government -- the Mayor has no authority over 25 property, only over money.</p>	<p style="text-align: center;">27</p> <p>1 Avenue, Louisville, Kentucky, 40206. I do public 2 relations for Three Percenters of Kentucky and also 3 American Action Force Three Percent, which is also 4 known as Kentucky State Defense Forces.</p> <p>5 The first thing I wanted to mention was 6 actually a quote from Mayor Fischer about the statue 7 directly. He said, my threshold question was whether 8 the Castleman statue would be appropriate in a 9 predominantly African-American neighborhood. Fischer 10 added, the answer is obviously no. It would be 11 viewed as disrespectful of the historic and painful 12 past.</p> <p>13 If Mayor Fischer agrees to those words 14 that he spoke, then he knows nothing about the 15 Cherokee Triangle area whatsoever. It is not a 16 predominantly African-American area and no one that 17 lives in that area -- everybody that lives in that 18 area knows better than that. I live right around the 19 corner. I've enjoyed many festivals down at the 20 Cherokee Triangle area and I will continue to enjoy 21 them. I also work with an inflatable company that 22 has helped get things set up for them in that area.</p> <p>23 We keep seeing this power grab over 24 something that really doesn't even -- it's been in 25 a -- they asked a guy named Dr. Tom Owen from U of L</p>
<p style="text-align: center;">26</p> <p>1 MR. GROSS: Okay, you're at five and a 2 half minutes right now.</p> <p>3 MR. CALLEN: So there we go. The point 4 is is that this Attorney General who is currently in 5 office says this Mayor has no authority to touch the 6 monument. So you can't have him stealing the 7 monument. You can't have him taking authority that 8 rests in the Council, the city Council, and so other 9 issues are in this document, but you're going to have 10 a legal fiasco.</p> <p>11 I brought two federal lawsuits already 12 over the Confederate monument. In front of this 13 crowd, I promise you, we will be tied up in more 14 litigation for more years. That monument is a 15 headstone and it needs to stay in place or it's 16 violating Kentucky Revised Statutes. Thank you very 17 much.</p> <p>18 MR. GROSS: Thank you. 19 (Applause from the audience.)</p> <p>20 MR. GROSS: I'm having a hard time 21 reading this, Byron Svoboda.</p> <p>22 SPEAKER: Bryan.</p> <p>23 MR. GROSS: Bryan.</p> <p>24 MR. SVOBODA: How are you doing? My 25 name is Bryan Svoboda. I live at 129 North Clifton</p>	<p style="text-align: center;">28</p> <p>1 to give his reports about it, too, and it was kind of 2 back and forth. There is no depiction of Confederacy 3 to do with the statue. He's not dressed in a 4 Confederate hat or Confederate uniform. There's 5 nothing to display this.</p> <p>6 If anybody knew the history about 7 Mr. Castleman, he did a lot for the Louisville area, 8 including Iroquois, Shawnee, and several parks. He 9 donated his own property and sold part of his estate 10 for Tyler Park. He also did not only fight with the 11 Confederacy. He also fought with the Union as well, 12 alongside.</p> <p>13 I would hope that we could teach people 14 about this type of statue and how people can change. 15 Not everybody is hearing the full story. It's just 16 Confederacy and hate, when you can actually walk 17 downtown to Waterfront now -- we're worried about a 18 statue with a man with a hat and a coat on when you 19 can walk down to Waterfront Park right now and see a 20 statue -- little memorials of black people in chains. 21 How is that not more offensive than a man on a horse? 22 It makes no sense to me. It's more offensive going 23 down to Louisville Waterfront Park and seeing 24 something like that.</p> <p>25 And the person that did oppose -- or</p>

<p style="text-align: center;">29</p> <p>1 actually supported the removal, she said something 2 about people of color. I don't see very many people 3 of color object -- you know, supporting the issue, 4 because there's not that many people of color in that 5 area, to be honest with you.</p> <p>6 We need to learn a little bit more 7 about our history and how it's construed and what's 8 going to -- and not talk about lies and blowing 9 things out of proportion. It's -- you can't change 10 history. You can't just erase it. You've got to 11 teach people. People change. Let he who is without 12 sin cast the first stone. We're all guilty of 13 something somewhere along the lines in life.</p> <p>14 The man made a mistake in life. He did 15 a lot to turn that around. I just hope we recognize 16 the whole issue, instead of keep picking away at our 17 history.</p> <p>18 We keep taking things away, just like 19 -- just like you took Bible and corporal punishment 20 out of school. That didn't work very well either. 21 We need to really look at things and I hope we do as 22 a whole.</p> <p>23 I live right around the corner. I deal 24 with people over there all the time. They're great 25 people. I deal with people all around Louisville and</p>	<p style="text-align: center;">31</p> <p>1 that's my son and it's his birthday today, although 2 it shall carry no more weight than any of the other 3 comments. All right. That was the last comment 4 card. Yes?</p> <p>5 SPEAKER: (Inaudible.)</p> <p>6 MR. GROSS: Are you -- we still have 7 two more left. That was the last in opposition. 8 Were you in opposition or in favor? Come on up.</p> <p>9 MR. PRICHARD: Thank you very much. My 10 name is James Prichard. I live at 2023 Sherwood 11 Avenue. I have a couple documents to share with the 12 committee and I'll distribute those after I share 13 this with you.</p> <p>14 The first document is located in the 15 Filson Historical Society collection and it shows why 16 the monument was created. Essentially, civic 17 leaders, business leaders, members of the clergy, 18 Republicans, Democrats, Protestants, Catholics, and 19 Jews got together to honor Castleman for his civic 20 contributions to the city of Louisville. So 21 essentially it has nothing to do with the Civil War, 22 the Confederacy, but it's primarily about parks and 23 horses.</p> <p>24 And so we're Derby City. I think it 25 would be a shame to move a statue that has so much to</p>
<p style="text-align: center;">30</p> <p>1 southern Indiana, great people. This is not a big 2 issue. And to keep bringing issues up like this in 3 the city of Louisville creates more racism and more 4 hate, otherwise no one even cared about the statue. 5 Bringing these issues to the top, it creates the 6 hate, creates the divide. When is that going to end? 7 Because right now, not that many people really care 8 about it. Thank you-all.</p> <p>9 MR. GROSS: Thank you. 10 (Applause from the audience.) 11 MR. GROSS: My last comment card is for 12 Siggy.</p> <p>13 MASTER GROSS: My name is Siggy Gross. 14 I live at 1205 Everett Avenue. My ZIP Code is 40204. 15 I think the statue should stay for the fact that it 16 is resembling how he helped make the neighborhood and 17 less of how he fought with the Confederate Army.</p> <p>18 Also, to compare this to something, 19 George Washington also fought for the British Army 20 that he later defeated, when Castleman fought for the 21 Union and the Confederates. That's all I have to 22 say. Thank you.</p> <p>23 MR. GROSS: Thank you. 24 (Applause from the audience.) 25 MR. GROSS: Let the record show that</p>	<p style="text-align: center;">32</p> <p>1 do with the horse industry.</p> <p>2 The other factor deals with the race 3 card that we've heard quite often about tonight. One 4 thing I can share with you -- and it is unfortunate. 5 We even had -- I attended all of the meetings and 6 there was one at the African-American Heritage Center 7 in West Louisville and hardly any African-Americans 8 have attended these meetings.</p> <p>9 And I should also point out that as far 10 as the statue goes, the NAACP was in existence when 11 it was dedicated. There's never, to my knowledge, 12 been any protest against that statue by the NAACP. 13 It's never been the site of a Klan rally. It's never 14 been the site of a hate group rally or a (inaudible) 15 rally.</p> <p>16 And lastly the thing I believe that has 17 always bothered me the most is that in any city when 18 we talk about the Jim Crow Era, it's a very dark, 19 dark chapter, and Castleman was a bit of a positive 20 character or progressive figure during the Jim Crow 21 Era in Louisville. And contrary to what's been 22 printed in the newspapers and reported in the media, 23 he fought against efforts, repeated efforts, as head 24 of our parks to prohibit African-Americans from 25 frequenting city parks. So he did not segregate the</p>

<p style="text-align: center;">33</p> <p>1 parks. In fact, the parks were not segregated until 2 six years after his death. He died in 1918. The 3 parks were segregated in 1924.</p> <p>4 He was also recognized as a benefactor 5 to the city's African-American community and as head 6 of the militia in 1887 he prevented the lynching of 7 two African-Americans in downtown Louisville; and as 8 head of the militia, he also prevented the lynchings 9 of African-Americans in other Kentucky cities under 10 orders of the governor.</p> <p>11 There's an interesting obituary that 12 I'm going to share with you that was placed -- or 13 eulogy, excuse me, in the Courier-Journal shortly 14 after his death by James Raymond Harris who was on 15 the faculty of Central High School and he referred to 16 Castleman's death as a calamity for the city's 17 African-American's community. And he wrote, whenever 18 in the course of affairs injustice or prescription 19 raised its hand against us, General Castleman's voice 20 had been heard pleading for toleration and amicable 21 adjustment.</p> <p>22 So this city has markers to the tragic 23 slave pens downtown. The city also has the 24 (inaudible) and in my opinion Castleman was a close 25 to a real live Atticus Finch that Louisville ever</p>	<p style="text-align: center;">35</p> <p>1 anywhere along the line to make it a symbol for 2 racism whatsoever and I think it really is kind of a 3 red herring that's unfortunately been thrown on 4 you-all to deal with some of the history of racism in 5 Louisville, which there is a lot of, but this seems 6 as far to me from a symbol of it as I can think of, 7 especially in terms of reading some of the articles 8 about him that were in the Courier-Journal September 9 23rd, 2018.</p> <p>10 He certainly wasn't a perfect human 11 being. I don't think any of us are. If that becomes 12 our criteria for monuments, we're going to probably 13 have to take down statues of everybody because at the 14 end of the day we all have our blemishes and our 15 issues.</p> <p>16 So I really think -- well, thank you 17 for doing your job. I feel a lot of empathy for you 18 in having to deal with this, but I just don't -- 19 don't see it as any kind of issue that would justify 20 moving a statue and going to the expense and trouble.</p> <p>21 I know when it was damaged in the '70s 22 my parents contributed to have it fixed up. Their 23 name is on the plaque on the statue and anybody that 24 knew my parents would realize they are about as far 25 from racists as white people can be and I think they</p>
<p style="text-align: center;">34</p> <p>1 had. So I oppose removal. Thank you very much.</p> <p>2 MR. GROSS: Thank you.</p> <p>3 (Applause from the audience.)</p> <p>4 MR. GROSS: Would you be sure to fill 5 out another speaker card, another one, another 6 speaker card, and give it to staff? Another card. 7 Thank you. All right. Is there anyone else? Yes. 8 We still have two more that are neither for nor 9 opposed. Are you --</p> <p>10 MR. CHRISTOPHERSON: I'm not sure what 11 happened to it.</p> <p>12 MR. GROSS: Okay.</p> <p>13 MR. CHRISTOPHERSON: But I definitely 14 handed it to her.</p> <p>15 MR. GROSS: No, he's not.</p> <p>16 MR. CHRISTOPHERSON: My name is Walter 17 Christopherson. I live at 2211 Cherokee Parkway. My 18 family has been in that house since 1962, so as a 19 child I grew up with the statue. It was always 20 there. There was no signage. We never really as 21 kids thought much about it one way or the other. We 22 couldn't have told you who he was. It just for us 23 was a symbol of the park system, and I think it still 24 remains the symbol of the park system.</p> <p>25 I don't think there was any intention</p>	<p style="text-align: center;">36</p> <p>1 would be very upset to realize that somehow this 2 is symboling -- or that people are trying to make it 3 into a symbol of something it's not.</p> <p>4 And finally I don't think -- it seems 5 like this has all emerged out of some efforts to 6 vandalize it, and I really don't think we should 7 make -- take special care not to reinforce what is 8 essentially a crime to deface public property and I 9 think that's -- the wrong decision here can encourage 10 those kinds of actions in the future. Thanks.</p> <p>11 MR. GROSS: Thank you.</p> <p>12 (Applause from the audience.)</p> <p>13 MR. GROSS: Is there anyone else that 14 would like to speak in opposition? All right.</p> <p>15 Moving to other, Tim Holz.</p> <p>16 MR. HOLZ: Tim Holz, 1044 Everett 17 Avenue, 40204. I'm here speaking on other because I 18 would like for you-all to consider the power of 19 public art as you make your decision today.</p> <p>20 I think one of the things that may have 21 been lost in the rhetoric that we've heard throughout 22 this process is looking back at who Castleman is or 23 isn't a hundred years on is the access and the 24 emotional and powerful connections people build with 25 public art when it is in a place that they have</p>

<p style="text-align: center;">37</p> <p>1 access to it every day.</p> <p>2 Public art has become such an important</p> <p>3 part to us as a city that in 2008 and 2009 Mayor</p> <p>4 Abramson created a master plan for public art for our</p> <p>5 city that established the Commission on Public Art</p> <p>6 and part of that talks about that when art engages</p> <p>7 our world directly, it creates powerful ripple</p> <p>8 effects as a catalyst for discussion and change.</p> <p>9 And so that's what brought about this</p> <p>10 Commission on Public Art, and I had the privilege of</p> <p>11 understanding this statue as a piece of fine art when</p> <p>12 I served on the committee that helped to restore it</p> <p>13 in 2013. And as a city we've made a commitment to</p> <p>14 provide people access to high quality public art.</p> <p>15 Part of your role as outlined in the</p> <p>16 objectives of the Landmarks Commission is to promote</p> <p>17 the educational, cultural, economic, and general</p> <p>18 welfare of the people and to safeguard the city of</p> <p>19 Louisville.</p> <p>20 As part of COPA's own deaccessioning</p> <p>21 guidelines, they require that a plan be presented for</p> <p>22 the deaccessioning and removal of that piece of art.</p> <p>23 As far as I know, I have not, unless I've missed</p> <p>24 it -- we have not received, anyone, a plan on where</p> <p>25 it's going, what it's doing, where -- how people are</p>	<p style="text-align: center;">39</p> <p>1 MR. STOTTMAN: Hello. I'm Jay</p> <p>2 Stottman, 1505 Highland Avenue, 40204. I would like</p> <p>3 to acknowledge you-all's service, having often been</p> <p>4 sitting on that side of the table up there, I know</p> <p>5 how hard of a job this really is. And at risk of</p> <p>6 doing something that I don't like when I'm on that</p> <p>7 side is people telling me what my job is, I may have</p> <p>8 to do that.</p> <p>9 But I am not speaking for or against,</p> <p>10 but I will acknowledge that actually I am a</p> <p>11 descendant of Castleman, as my mom sitting in the</p> <p>12 audience so proudly likes to defend, but I would like</p> <p>13 to provide some information and I know, having made</p> <p>14 many of these decisions before, that this is</p> <p>15 something that you-all would appreciate.</p> <p>16 I will echo some of the things that</p> <p>17 have been said before, the power of the landscape and</p> <p>18 as a scholar of landscape and identity, it is very,</p> <p>19 very powerful and we always look at history through</p> <p>20 the lens of present day. So we always see history</p> <p>21 from the present, and I think that's what's going on</p> <p>22 here.</p> <p>23 I do want to make a distinction between</p> <p>24 the Castleman statue and the Confederate monument</p> <p>25 because it is often lumped together.</p>
<p style="text-align: center;">38</p> <p>1 going to maintain access to high quality art when</p> <p>2 this piece of fine art is removed.</p> <p>3 So what I would like to ask you to</p> <p>4 consider is, as you are considering your decision,</p> <p>5 whether it is to remove it or to keep it or to set</p> <p>6 aside until we have more information, is consider the</p> <p>7 power of public art and ask the city as a condition</p> <p>8 if you do vote to remove it that they provide us with</p> <p>9 a plan as to how the people of Louisville will have</p> <p>10 the same sort of access to the same high quality of</p> <p>11 art, whether it's somewhere within the architectural</p> <p>12 district because that's where your preservation is.</p> <p>13 It doesn't have to necessarily be on that same spot,</p> <p>14 but I think when people have had access to a quality</p> <p>15 art like this for more than a hundred years and we as</p> <p>16 a city have made a commitment to that, adopted it as</p> <p>17 part of our new 2040 plan, public art is a new Goal 5</p> <p>18 under the community form section of the new</p> <p>19 Comprehensive Plan, that the city -- that we, as</p> <p>20 citizens, deserve to have an answer as to how we are</p> <p>21 going to have access to public art when high quality</p> <p>22 public art is removed from the access for our</p> <p>23 citizens. Thank you.</p> <p>24 (Applause from the audience.)</p> <p>25 MR. GROSS: Thank you. Jay Stottman?</p>	<p style="text-align: center;">40</p> <p>1 As a scholar who has studied the</p> <p>2 Confederate monument, it is -- we have to look at why</p> <p>3 these things were created in the first place. And</p> <p>4 the research I did on the Confederate monument,</p> <p>5 clearly it was something that was designed to evoke</p> <p>6 power and use the power of the landscape to</p> <p>7 intimidate, to tell a narrative, to change a</p> <p>8 narrative. That's what its purpose was for. It was</p> <p>9 meant to impress people, and it had to go.</p> <p>10 I don't see the Castleman statue in the</p> <p>11 same way as to -- again, where was it put there? It</p> <p>12 was there -- put there to honor a particular man for</p> <p>13 his service to the city parks, Saddlebred horses.</p> <p>14 All that has been said before. Keep that in mind,</p> <p>15 but these two things are not equal in how they are</p> <p>16 created and what their purpose on the landscape is.</p> <p>17 So please keep that in mind as to -- as to how</p> <p>18 that -- how that works.</p> <p>19 Again, we look at history from the</p> <p>20 present and, as an activist, I do think that</p> <p>21 sometimes activism can go too far, and I think in</p> <p>22 this case that's probably happened, but I signed up</p> <p>23 as being neither for or opposed because I understand</p> <p>24 the importance of how people feel about things today,</p> <p>25 but also I understand why things are put there to</p>

<p style="text-align: center;">41</p> <p>1 begin with.</p> <p>2 So I do encourage you to think about</p> <p>3 that; but also, if you do decide to go ahead and</p> <p>4 remove the statue, that you do consider some</p> <p>5 conditions for what is to replace it because --</p> <p>6 here's the risk of where I tell you what your job</p> <p>7 is -- it's really about the character and identity of</p> <p>8 the neighborhood you're representing. And while</p> <p>9 there aren't really specific guidelines that deal</p> <p>10 with statues in general, what we always come back to</p> <p>11 is what's the good for the character and identity of</p> <p>12 this neighborhood. And clearly the identity of this</p> <p>13 neighborhood is ingrained and intertwined with this</p> <p>14 statue and the history of Castleman's contributions</p> <p>15 to the parks because the Cherokee Triangle is about</p> <p>16 its relationship to Cherokee Park.</p> <p>17 So please keep that in mind as to what</p> <p>18 the removal of the statue would do for that identity</p> <p>19 and to that history and character of the neighborhood</p> <p>20 because essentially that's what it's all about.</p> <p>21 I understand that some people may be</p> <p>22 hurt, you know, accurately or not accurately, by the</p> <p>23 statue and that that is a valid concern. If people</p> <p>24 think it has to go, then so be it, but please take</p> <p>25 those things into consideration. Thank you.</p>	<p style="text-align: center;">43</p> <p>1 hunt it down. The Courier-Journal had a story that</p> <p>2 said five things you need to know about Castleman.</p> <p>3 Number 2 was that he help segregate the parks; and as</p> <p>4 a reference, they cited an op-ed that had appeared</p> <p>5 earlier, so I looked up the op-ed and that was</p> <p>6 written by a fellow who had written a book and so I</p> <p>7 followed his cite. He cited a 1914 Courier-Journal</p> <p>8 article which I couldn't find, but I found a 1916</p> <p>9 article and in there, it was interesting, there was a</p> <p>10 meeting, two guys from Iroquois neighborhood had come</p> <p>11 to say we don't think black people should be in the</p> <p>12 park. And so at the meeting the Parks Commission</p> <p>13 said, quote, under law, the Negro has as much right</p> <p>14 in the public parks as the white man. So I said,</p> <p>15 well, gee, that's not what I saw in the book, but I</p> <p>16 kept reading, and the article went on to say it was</p> <p>17 thought best to establish courts for the use by</p> <p>18 Negroes only, very much segregation and likely</p> <p>19 racist. So, gosh, this got me confused. I said I</p> <p>20 really need to understand more about my own history.</p> <p>21 And to the -- I think Walter, who I</p> <p>22 look forward to meeting later because I know his</p> <p>23 house -- public art, it's -- none of this would have</p> <p>24 happened if the statue weren't there.</p> <p>25 So then I went and I found a Pulitzer</p>
<p style="text-align: center;">42</p> <p>1 (Applause from the audience.)</p> <p>2 MR. GROSS: That was our last speaker</p> <p>3 card. Is there anyone else that would like to</p> <p>4 comment? Yes.</p> <p>5 MR. KIRVEN: Hi. I'm Pete Kirven, 1277</p> <p>6 Willow Avenue, and I'm an other. I think I was</p> <p>7 coming here today to bury General Castleman a second</p> <p>8 time. I was sort of interested to see how many</p> <p>9 people here were in favor. When I heard about it, I</p> <p>10 was like, well, gee, who knows?</p> <p>11 And then I heard a story that reminded</p> <p>12 me of my childhood. I went to a funeral earlier</p> <p>13 today, my first funeral. It was over in Crescent</p> <p>14 Hill where there's a basketball goal in the parking</p> <p>15 lot and one night at dinner my parents were outraged.</p> <p>16 The minister had come out and asked two black youths</p> <p>17 leave the basketball goal, leave the parking lot, it</p> <p>18 wasn't for black kids. My parents were furious, so</p> <p>19 that's -- that's how I grew up, with that attitude.</p> <p>20 And so when I heard General Castleman</p> <p>21 ask two kids or two black -- I don't know if they</p> <p>22 were kids or adults -- to leave the Cherokee tennis</p> <p>23 courts, I was like, wow, that's bad. I can't get</p> <p>24 behind that guy.</p> <p>25 So I pulled -- there was -- I had to</p>	<p style="text-align: center;">44</p> <p>1 Prize winning book, 947 pages, The Battle Cry of</p> <p>2 Freedom by James McPherson, total story of the Civil</p> <p>3 War, and I read through there. I was stunned to see</p> <p>4 that Lincoln did not free slaves in Kentucky with the</p> <p>5 Emancipation Proclamation. They remained in bondage.</p> <p>6 He needed Kentucky. He said I want the Lord's help</p> <p>7 to win the Civil War, but I have to have Kentucky.</p> <p>8 So I was stunned.</p> <p>9 History became very confusing, and I</p> <p>10 was reminded then of this picture. You-all probably</p> <p>11 know it. Nod your head if you know the picture and</p> <p>12 the trick in the picture. There is both -- and I'll</p> <p>13 turn around here for you folks. In this picture</p> <p>14 there is an old woman if you look at it one way.</p> <p>15 This is her nose and her mouth is down here, and then</p> <p>16 up here it's a young woman. This is her ear and her</p> <p>17 eyes and she's got her head tilted back. And, by</p> <p>18 golly, that's a picture of General Castleman. He's</p> <p>19 got it all going for him. There is the young General</p> <p>20 Castleman who fought in the Civil War which was for</p> <p>21 slavery. Then there's the old General Castleman who</p> <p>22 fought in the US Army which was for democracy or</p> <p>23 whatever. So, boy, I'm confused.</p> <p>24 But what I do know is the statue is</p> <p>25 there -- oh, and then I went to Seattle to visit my</p>

<p style="text-align: center;">45</p> <p>1 son and there's a statue of Vladimir Lenin. Nobody 2 on earth has more blood on their hands probably 3 literally than Lenin and there it is in the Fremont 4 neighborhood, a neighborhood kind of like the 5 Cherokee Triangle, and his hands are painted red and 6 now I'm beginning to identify with our -- with our -- 7 what's it called? -- graffiti'd statue. His hands 8 are painted red because he's a symbol of the 9 nastiness that he brought on his own people and tons 10 of other people, the blood on his hands, and so -- 11 but at Christmas, as this year at Christmas, they 12 decorate the statue with Christmas lights just to 13 cheer up the neighborhood and on the day of the gay 14 pride parade they dress Vladimir Lenin in drag, and 15 this is a heck of a thing, this statue. It has 16 provoked people and raised -- and there's a constant 17 debate and dialogue about it.</p> <p>18 And so if we do bury the General today, 19 I am thankful that I got to learn all of this that I 20 really wasn't raised with. I wasn't raised with the 21 holocaust that my ancestors carried out on the first 22 peoples of America. I was raised with the Lone 23 Ranger, you know. We don't know our history. And if 24 we just take this and move it away, then that 25 opportunity will be missed and that will be the price</p>	<p style="text-align: center;">47</p> <p>1 getting to the facts of this whole segregated the 2 parks nonsense, George Wright, himself an 3 African-American historian and who wrote a book, Life 4 Behind the Veil, Blacks in Louisville from 1865 to 5 1930s, says in that book that in Louisville in the 6 late 19th and early 20th Centuries, the public parks 7 were the one place where blacks had relatively equal 8 access to whites until 1924, as Mr. Prichard observed 9 earlier.</p> <p>10 So it would be good if people looked at 11 the facts, based their so-called op-eds and books on 12 good history and take another look at George Wright's 13 book. Thank you.</p> <p>14 MR. GROSS: Thank you. 15 (Applause from the audience.)</p> <p>16 MR. GROSS: All right. Last chance, 17 speakers for, against, other? All right. Hang on. 18 Wait. You may.</p> <p>19 SPEAKER: (Inaudible.)</p> <p>20 MR. GROSS: I need you to step up to 21 the podium and name and address.</p> <p>22 MR. WAINSCOTT: Barry Wainscott, I'm 23 from 1280 Willow. That's in 40204, in the heart of 24 Cherokee Triangle, and I'm concerned about the 25 process. I'm concerned about the process because our</p>
<p style="text-align: center;">46</p> <p>1 we pay if that's the course we take. I'm good with 2 it going either way, but I am grateful to have had 3 the opportunity to look into all of this. It really 4 has caused me to look and question and think, and 5 that's a great thing for public art to do. I think 6 Mr. Holz was on the same line of thought there, and I 7 hope I haven't gone over my three minutes; but 8 anyway, whatever it is. Thank you.</p> <p>9 MR. GROSS: You are at five. If you 10 wouldn't mind filling out a speaker card and leaving 11 your picture of the young Castleman dressed as an old 12 woman and a young lady for the record.</p> <p>13 MR. KIRVEN: Well, it's not actually 14 Castleman is the --</p> <p>15 MR. GROSS: Can you leave it with staff 16 though since you displayed it?</p> <p>17 MR. KIRVEN: Okay. 18 (Applause by the audience.)</p> <p>19 MR. GROSS: Or not. All right. Anyone 20 else in the audience want to give comment? Hearing 21 none, staff and -- what?</p> <p>22 MR. WORKING: Richard Working, 40207, 23 St. Matthews area. I can't match the wonderful 24 theatricality of the previous speaker, but to 25 underscore a point he was talking about in terms of</p>	<p style="text-align: center;">48</p> <p>1 Mayor in good faith I think has listened to a very 2 small minority that is very vocal, perhaps misguided, 3 giving misinformation, I would call it 4 disinformation, and they purport to represent a large 5 minority that has been relatively silent, and I'm not 6 saying that they agree, disagree, but they claim they 7 represent somebody that they may not.</p> <p>8 On the other hand, we've got a lot of 9 people who represent the community, represent the 10 neighborhood who are saying something very different.</p> <p>11 So I suggest that we -- as we look to 12 this group who is going to make a decision, I hope 13 it's a good decision, but I hope that decision is -- 14 whether it's for or against the proposal, it 15 recognizes that you have the autonomy to make the 16 right decision. You don't have to agree with the 17 Mayor. You don't have to disagree. It's your 18 decision, and I want to thank you for the opportunity 19 and I guess I need to fill out a card.</p> <p>20 MR. GROSS: Yes, please.</p> <p>21 MR. WAINSCOTT: Where are they? 22 (Applause from the audience.)</p> <p>23 MR. GROSS: All right. Now last 24 chance, any more speakers? All right. Staff and 25 applicant, you have a chance to respond.</p>

<p style="text-align: center;">49</p> <p>1 MS. ELMORE: I just want to note for</p> <p>2 the record that the ARC received a packet of comments</p> <p>3 that were submitted through E-mail prior to the</p> <p>4 meeting. There were 16 comments and I wanted to</p> <p>5 reflect that on the record as well.</p> <p>6 MR. GROSS: Thank you. All right. I</p> <p>7 think before we ask for a motion I would kind of like</p> <p>8 to bring us back around to the more mundane part of</p> <p>9 this hearing and just go through the guidelines. And</p> <p>10 anyone, any of the committee members can weigh in</p> <p>11 when they want.</p> <p>12 SS3, retain historic circulation</p> <p>13 patterns, gateways, entrances, artwork, and street</p> <p>14 furniture, whenever they are character-defining</p> <p>15 features, especially in pedestrian courts, and I</p> <p>16 guess this is a question for staff. So, you checked</p> <p>17 that that's a positive?</p> <p>18 MS. ELMORE: Yes.</p> <p>19 MR. GROSS: Can you elaborate on that?</p> <p>20 MS. ELMORE: Well, that the original</p> <p>21 design of the streetscape with the roundabout was</p> <p>22 designed without any sculpture or statuary in it.</p> <p>23 The actual statue that's being requested to be</p> <p>24 removed was installed in 1913, so its removal doesn't</p> <p>25 impact the character of that streetscape design which</p>	<p style="text-align: center;">51</p> <p>1 relationship of the streetscape, the neighborhood,</p> <p>2 would remain the same.</p> <p>3 ARC BOARD: Quick question, when you</p> <p>4 say the district, specifically what are you</p> <p>5 referencing?</p> <p>6 MS. ELMORE: The designated Cherokee</p> <p>7 Triangle Preservation District, which was designated</p> <p>8 in 1975. The designation, as noted in the report,</p> <p>9 does not specifically identify the Castleman statue</p> <p>10 as a contributing piece in the district.</p> <p>11 MR. GROSS: However, it is referenced</p> <p>12 in our guidelines.</p> <p>13 MS. ELMORE: It's referenced in a</p> <p>14 brochure that was -- the Cherokee Triangle brochure,</p> <p>15 but in the -- it's in the "Did You Know" section.</p> <p>16 That was in 1997 as a -- that was published in 1997</p> <p>17 when the guidelines were last updated. It's sort of</p> <p>18 in a box, I believe, that contains kind of facts</p> <p>19 about the neighborhood, "Did You Know."</p> <p>20 MR. GROSS: So it's local a Landmarks</p> <p>21 Commission Design Guidelines, Cherokee Triangle, and</p> <p>22 it says, yeah, the "Did You Know," the Castleman</p> <p>23 statue, the statue of General John B. Castleman</p> <p>24 erected in 1913 stands as a neighborhood landmark.</p> <p>25 Castleman was president of the board of the Parks</p>
<p style="text-align: center;">50</p> <p>1 would be the integrity -- to retain integrity of the</p> <p>2 district, so that is where I came down in making that</p> <p>3 decision of (inaudible.)</p> <p>4 MR. GROSS: She can't hear you.</p> <p>5 MS. ELMORE: Oh, that the roundabout</p> <p>6 was designed without the statue or object in it when</p> <p>7 it was originally platted, and the photographic</p> <p>8 evidence prior to 1913 shows that there was nothing</p> <p>9 installed in that roundabout, so that the</p> <p>10 guideline -- the removal of the statue does not</p> <p>11 impact the integrity or character of the district</p> <p>12 because that roundabout will remain in the same form</p> <p>13 and the design around it will remain intact.</p> <p>14 MR. GROSS: So the next guideline that</p> <p>15 I kind of just wanted to question is ST1, consider</p> <p>16 the relationships that exist between the site and</p> <p>17 structure when making exterior alterations, changes</p> <p>18 to one will affect the other. Primary goal should be</p> <p>19 to maintain complimentary relationship.</p> <p>20 The statue is kind of the focal point</p> <p>21 of that roundabout.</p> <p>22 MS. ELMORE: Again, it wasn't designed</p> <p>23 with a statue in it, so the roundabout remains</p> <p>24 intact. Any other piece could go in that site with</p> <p>25 approval. It could be an exterior change, but the</p>	<p style="text-align: center;">52</p> <p>1 Commission and helped create the city's park system.</p> <p>2 His statue faces Cherokee Park.</p> <p>3 MS. ELMORE: That's not (inaudible.)</p> <p>4 ARC BOARD: (Inaudible) contributing</p> <p>5 element.</p> <p>6 MR. GROSS: Landmark?</p> <p>7 ARC BOARD: That does not say that it</p> <p>8 is a contributing element.</p> <p>9 MR. GROSS: Okay. All right. And then</p> <p>10 on demolition, it says unless the city has determined</p> <p>11 that it poses an imminent threat to life or property,</p> <p>12 do not demolish any historic structure or any part of</p> <p>13 a historic structure that contributes to the</p> <p>14 integrity of any historic district or any individual</p> <p>15 landmark or part of an individual landmark.</p> <p>16 And DE6, do not take measures -- nope,</p> <p>17 that's not the one I wanted.</p> <p>18 DE1, do not demolish noncontributing</p> <p>19 buildings or additions in any manner that will</p> <p>20 threaten the integrity -- all right. So I guess just</p> <p>21 really the introduction part of it that is the point</p> <p>22 and I guess that just goes back to, you know, the</p> <p>23 reason for the demolition and --</p> <p>24 MS. ELMORE: To be clearer, this is</p> <p>25 a -- it's not -- it's a structure as defined in</p>

<p style="text-align: center;">53</p> <p>1 Landmarks ordinance, but doesn't include objects. 2 This is an object. 3 MR. GROSS: Yeah. 4 MS. ELMORE: The character of the 5 neighborhood, the significance of the neighborhood is 6 about the building stock and the architectural 7 character of those buildings. This particular statue 8 was not identified as a contributing element to the 9 district when it was designated. 10 MR. GROSS: Anyone else have any other 11 questions for staff? So I have another question 12 while we are talking about this. Is there any other 13 precedent that Metro has had removing objects from a 14 historic district? 15 MS. ELMORE: Not to my knowledge in the 16 Cherokee Triangle. 17 MR. GROSS: In any historic district? 18 MS. ELMORE: Not to my knowledge, as 19 far as this type of object, no. 20 MR. GROSS: Or any piece of art, for 21 that matter? I don't know. 22 ARC BOARD: Was the Confederate 23 monument in Old Louisville? 24 MS. ELMORE: No, it was not. 25 MR. GROSS: Does Metro Government --</p>	<p style="text-align: center;">55</p> <p>1 questions for staff? So just another, traditionally 2 in the past we haven't approved demolitions without 3 replacements, is that correct? 4 MS. ELMORE: (Inaudible.) 5 MR. GROSS: That was a question. 6 MS. ELMORE: For buildings, there can 7 be. Yes, there is a process of applying for a 8 demolition of a building and a replacement can be 9 part of the new construction which would require an 10 overview as well. Sometimes they are done at the 11 same time, but -- 12 MR. GROSS: All right. No other 13 questions? Does somebody want to make a motion? 14 Yes. 15 ARC BOARD: Not really a question for 16 staff, but just a reminder or just a thought that the 17 decision of the ARC and Landmarks Review Committees 18 is based on the design guidelines, so it's findings 19 and conclusions based on the merits of the proposal. 20 Each -- each proposal is different. So if you look 21 at the unique aspects of each proposal and how it 22 aligns with, at least in our view or the staff's 23 view, the staff has given us their professional, 24 technical recommendation of how the proposal aligns 25 with the referenced guidelines.</p>
<p style="text-align: center;">54</p> <p>1 and this might be a question for the attorney and I 2 think we've had an answer for this already. Does 3 Metro Government get any preferential treatment in -- 4 MS. ELMORE: No. 5 MR. GROSS: Okay. All right. Any 6 other committee members want to ask questions? Sure. 7 ARC BOARD: This is a city that has a 8 dearth of public monuments. I would hate to see this 9 one monument removed after one hundred plus years. 10 Remove the bronze plaque from the Cherokee Parkway 11 median I would suggest. Allow the General and 12 Carolina to stay. 13 (Applause from the audience.) 14 ARC BOARD: One other note, and I am 15 paraphrasing a letter to the editor of the 16 Courier-Journal by a Mr. Bush, and again I 17 paraphrase, if you took a street poll, 80 percent of 18 people would not know who the guy on the horse is. 19 They only know it as a familiar historic monument. 20 Some have voiced concern of a precedent-setting 21 decision should the city be allowed to remove this 22 landmark monument from the Cherokee Triangle, a 23 historic preservation district. Thank you. 24 (Applause from the audience.) 25 MR. GROSS: Anyone else have any</p>	<p style="text-align: center;">56</p> <p>1 So actually it's a much narrower 2 question that is before this body in my view of the 3 decision that we have to make tonight. Again, our 4 decision is based on the design guidelines, our 5 findings and conclusions, based on those and then a 6 decision made. 7 MR. GROSS: Thank you. You stole my 8 speech for before we start deliberations. 9 ARC BOARD: Oh. 10 MR. GROSS: But that's okay. All 11 right. No other questions? Go ahead. Question or 12 motion? You need to press your button. 13 ARC BOARD: I just wanted to make a 14 comment in reference to, you know, when people make 15 suggestions that you are trying to erase history, 16 Castleman's contributions to the community, the good 17 and everything, they cannot be erased, you know. I 18 mean, history cannot be erased. History is ongoing 19 and it's recreated -- not recreated, but it's 20 continuously being created, and that's all that I 21 have to say. I have support staff's recommendation. 22 MR. GROSS: Would you like to make a 23 motion saying so? 24 ARC BOARD: Yes, I would like to make a 25 motion, as staff suggested, to have the -- according</p>

<p style="text-align: center;">57</p> <p>1 to the guidelines, to have the statue removed.</p> <p>2 MR. GROSS: All right. The motion is</p> <p>3 out there. Is there a second?</p> <p>4 ARC BOARD: (Inaudible.)</p> <p>5 MR. GROSS: Correct.</p> <p>6 ARC BOARD: (Inaudible.)</p> <p>7 MR. GROSS: All right. So we have a</p> <p>8 motion to approve the application per the staff</p> <p>9 report and a second, and now we'll discuss it. Who</p> <p>10 would like to start? Monica?</p> <p>11 ARC BOARD: Well, David's point of the</p> <p>12 fact that we are bound by the guidelines in our</p> <p>13 assessment of the appropriateness of the motion,</p> <p>14 notwithstanding there's a lot of emotion and a lot of</p> <p>15 strong feeling that ends up seeping in, and having</p> <p>16 lived most of my life in the Triangle and loving the</p> <p>17 statue just because I think it's a really nice</p> <p>18 equestrian statue and I never thought of it as a</p> <p>19 Confederate monument the way the one that was removed</p> <p>20 out by U of L definitely was, and it was not the</p> <p>21 intention of the subscribers to -- the creation of</p> <p>22 the statue to commemorate or to venerate the myth of</p> <p>23 the lost cause the way the one downtown was.</p> <p>24 It gives me great pain, however, to</p> <p>25 walk or drive by General Castleman now because of all</p>	<p style="text-align: center;">59</p> <p>1 the country. He wasn't made anything beyond major in</p> <p>2 rank until he was in the Federal Army and he was a</p> <p>3 good citizen in many ways.</p> <p>4 And I just think we ought to kind of</p> <p>5 protect the art and protect the man for a while. And</p> <p>6 to me Cave Hill is the excellent place to do that.</p> <p>7 It's still kind of in the Triangle. He would still</p> <p>8 be accessible, but I just -- I think leaving --</p> <p>9 leaving the statue where it is is just going to</p> <p>10 encourage more strong feelings and I think everybody</p> <p>11 needs to cool off.</p> <p>12 MR. GROSS: Chris?</p> <p>13 ARC BOARD: At present, hearing all we</p> <p>14 have said here, it's fascinating, very interesting.</p> <p>15 One question or thought is about the character of the</p> <p>16 space and the original design intent was to circulate</p> <p>17 traffic for sure, but it's also about art history and</p> <p>18 how objects in that space exist over time.</p> <p>19 This structure is over a hundred years</p> <p>20 old. So I think we have heard from many people that</p> <p>21 they identify with that object within the space as a</p> <p>22 defining feature, whether it was listed as a</p> <p>23 contributing element within the historic designation.</p> <p>24 I also struggle with the fact that it</p> <p>25 is included in our Landmarks guidelines for the area</p>
<p style="text-align: center;">58</p> <p>1 the graffiti and the paint. None of that has been</p> <p>2 removed. And my sincere fear is that if it were to</p> <p>3 remain, this will continue because that's the way</p> <p>4 people -- some people are feeling now. This is a</p> <p>5 fraught period in our current history and it's not</p> <p>6 going to go away just because we say our hearts are</p> <p>7 pure and we're not racists and blah, blah, blah. I</p> <p>8 just think that it's going to continue for now at</p> <p>9 least to be the focal point of a lot of people's</p> <p>10 frustration.</p> <p>11 My own feeling is that the General</p> <p>12 should be removed and -- and repaired and put in a</p> <p>13 place of safety until things -- surely at some point</p> <p>14 there will be some kind of resolution to the really</p> <p>15 strong feelings that are sloshing about all over this</p> <p>16 country right now. It isn't just Louisville or</p> <p>17 Kentucky or the south.</p> <p>18 And I spent -- having lived here a long</p> <p>19 time, I've spent a lot of time in Cave Hill and there</p> <p>20 are an awful lot of Union and Confederate dead in</p> <p>21 Cave Hill, and when this whole furor began I thought</p> <p>22 he really needs to be over there with both sides.</p> <p>23 He was 22 when the war was over and he</p> <p>24 was rehabilitating himself in one way or another. He</p> <p>25 lived another almost 50 years playing by the rules in</p>	<p style="text-align: center;">60</p> <p>1 as kind of an example of a landmark, whether it was</p> <p>2 contributing or not. So it feels like we have a</p> <p>3 little discord within our own system. That's it.</p> <p>4 MR. GROSS: Dave, you want to add</p> <p>5 anything?</p> <p>6 ARC BOARD: I appreciate the</p> <p>7 opportunity. I think I said what I had to say a few</p> <p>8 minute ago. I appreciate it. I appreciate the other</p> <p>9 committee members' comments as well.</p> <p>10 MR. GROSS: I -- I can honestly see</p> <p>11 both sides of the story on, you know, for removal and</p> <p>12 for keeping it. I think if we limit ourselves to</p> <p>13 just the guidelines, I think that you have a</p> <p>14 difficult argument to say that it should be removed.</p> <p>15 You know, I kind of -- it's a -- you</p> <p>16 know, throughout the guidelines, I mean, the</p> <p>17 Castleman statue is in essence the -- the</p> <p>18 neighborhood. I mean, it is the Cherokee Triangle.</p> <p>19 It's on the emblems on our buildings, its historical</p> <p>20 markers. It's on the cover of the book. It's stated</p> <p>21 as a landmark. It may not be mentioned. I think</p> <p>22 that the fact that, you know, the original traffic</p> <p>23 circle was designed without the monument and it was</p> <p>24 only -- you know, it wasn't put in until, you know,</p> <p>25 1913, I think that that's kind of a -- I think that</p>

<p style="text-align: center;">61</p> <p>1 argument lacks some substance because, I mean, each 2 lot in the Cherokee Triangle was vacant at some point 3 in time.</p> <p>4 You know, the fountain to go to 5 Cherokee Park, you know, Hogan's Fountain wasn't 6 initially designed there or was the -- what was 7 the -- yeah, I mean, that wasn't, you know, 8 originally intended to be there, too, but they're 9 both considered to be, you know, part of the fabric 10 of that park now.</p> <p>11 So I think the question I'm dealing 12 with is, you know, how do we weigh what the city is 13 requesting? And I take it the city is requesting 14 that they remove it because they feel that it's a 15 symbol that is unbecoming of the city. Is that 16 essentially correct? How do we weigh -- how do we 17 weigh that with the guidelines that we're here to 18 enforce?</p> <p>19 ARC BOARD: And you've given me a 20 thought there. I think that, again, to the charge of 21 the Landmarks Commission, using the design guidelines 22 to evaluate changes to the preservation district, and 23 I think we have heard from our historic preservation 24 officer, Cynthia, to say that the removal of this 25 does not, in historic preservation terms, impact the</p>	<p style="text-align: center;">63</p> <p>1 have to look at the designation report physically 2 right now, so I'm limited on giving you a totally 3 definitive answer, but it would likely cover from the 4 late 19th Century into the mid -- up to the mid 20th 5 Century, knowing what the contributing buildings are 6 in the district, that that covers that period from 7 the Victorian Era to the Craftsman time to kind of 8 right before the war, but that's for the buildings 9 and that's -- that's the significance of the district 10 is based on the architectural character and building 11 stock in the district.</p> <p>12 MR. GROSS: Thank you.</p> <p>13 ARC BOARD: Thank you. A follow-up 14 question to that, too, is with the 1975 designation, 15 were there any contributing factors other than the 16 housing stock and buildings as far as features? Was 17 the park part of it?</p> <p>18 MS. ELMORE: The park is not part of 19 the district, no. You could say that the streetscape 20 because our guidelines also look at the streetscape 21 as far as the character goes, that's, of course, you 22 know, how the layout, the platting. Remember that 23 the district was -- it's designed in the sense of 24 when it was developed for neighborhood development, 25 suburban at the time, so that's where its basis lies.</p>
<p style="text-align: center;">62</p> <p>1 fabric, historic fabric of the district as recognized 2 in the designation report, and that's the standard by 3 which we use for our baseline for historic 4 preservation districts.</p> <p>5 So I think respecting that, the 6 integrity of that, this process for maintaining that, 7 the historic fabric, is really our best charge and 8 keeping the scope of that as our scope I think is our 9 strongest position as an ARC Landmarks Commission.</p> <p>10 MR. GROSS: But it is does, you know, 11 it's going to completely change the historic fabric 12 of the district.</p> <p>13 ARC BOARD: I disagree.</p> <p>14 ARC BOARD: Not according to the 15 (inaudible) guidelines (inaudible.)</p> <p>16 MR. GROSS: You need to turn your mike 17 on.</p> <p>18 ARC BOARD: Well, sorry.</p> <p>19 ARC BOARD: One question on that -- and 20 maybe Cynthia knows -- is the period of significance 21 identified in 1975 nomination for the district? Is 22 it specifically bracketed year-wise? I'm just trying 23 to understand the creation time of this piece of art 24 in relationship to the period of significance.</p> <p>25 MS. ELMORE: It would likely -- I would</p>	<p style="text-align: center;">64</p> <p>1 So it's about how the street patterns were developed, 2 as well as the building stock.</p> <p>3 ARC BOARD: While you're up there, 4 so -- but the designation report -- and it's been a 5 little while since I read it, but it does go through 6 and identify those things that it considers 7 contributing elements. I mean, it goes block by 8 block in detail.</p> <p>9 MS. ELMORE: Yes, it goes block by 10 block.</p> <p>11 ARC BOARD: Identifying specific 12 buildings and --</p> <p>13 MS. ELMORE: Yes, yes.</p> <p>14 ARC BOARD: So there is portent to 15 something not getting any other than a passing 16 reference --</p> <p>17 MS. ELMORE: Right.</p> <p>18 ARC BOARD: -- in your report, is that 19 fair to say?</p> <p>20 MS. ELMORE: Yes.</p> <p>21 MR. GROSS: So just two follow-up 22 questions to that. One, in other historic districts, 23 do they reference what we would consider now objects 24 of art, such as the fountain in St. James Court or 25 the artwork down West Main Street.</p>

<p style="text-align: center;">65</p> <p>1 MS. ELMORE: Well, I can say that the</p> <p>2 Clifton Preservation District and the Butchertown</p> <p>3 Preservation District, which are our most recent</p> <p>4 districts from 2003, identify some other</p> <p>5 character-defining features in their neighborhoods.</p> <p>6 Clifton talks about the chicken steps as an</p> <p>7 identified contributing element in their district,</p> <p>8 but those are modern and that's how they --</p> <p>9 MR. GROSS: But none of the original</p> <p>10 districts included any objects of art.</p> <p>11 MS. ELMORE: No, not that I recall at</p> <p>12 the moment, but I haven't looked at all of them in</p> <p>13 the last week or so, but I know the Clifton</p> <p>14 Preservation District actually has specific</p> <p>15 guidelines for cultural landscape features that it</p> <p>16 (inaudible) ties into their designation.</p> <p>17 MR. GROSS: So I think, Monica, you'll</p> <p>18 probably remember the meeting that we had for the</p> <p>19 modern triplex up on Cherokee where we actually</p> <p>20 denied some exterior changes because we said, even</p> <p>21 though that building came in at a later date after</p> <p>22 the historic district had been created, that it was</p> <p>23 now part of the historic district. So, I mean, if</p> <p>24 that was built in the '80s maybe, is 1913 --</p> <p>25 ARC BOARD: '70s, mid '70s.</p>	<p style="text-align: center;">67</p> <p>1 follow up on Cynthia's point, I think I would be</p> <p>2 careful about using one case to justify an approach</p> <p>3 to another. I mean, you have to just evaluate each</p> <p>4 case on its own merits. I think in that case I</p> <p>5 remember -- I think I was the case manager on that</p> <p>6 one, but we did evaluate the changes against the</p> <p>7 integrity of that building, as well as the district</p> <p>8 as a whole, meaning that the changes to that piece</p> <p>9 should be in concert with itself to maintain a</p> <p>10 relationship with the whole district and so I think</p> <p>11 we ended up approving something for that one. We</p> <p>12 found a way to approve a design that met the design</p> <p>13 guidelines.</p> <p>14 Again, I think for me it comes back to</p> <p>15 that, so it's kind of each case on its own, using the</p> <p>16 design guidelines, and I think that staff has made</p> <p>17 the case here that this as an element in the district</p> <p>18 and its recognition in the designation report is not</p> <p>19 as a strong contributing element.</p> <p>20 MR. GROSS: All right. So I can</p> <p>21 respectfully disagree. I think it is a strong</p> <p>22 contributing element to the neighborhood, to the</p> <p>23 district. I'm not saying I disagree with the Mayor's</p> <p>24 commission and their reasons for wanting it to be</p> <p>25 removed or with Monica's reasons for, you know, the</p>
<p style="text-align: center;">66</p> <p>1 MR. GROSS: Mid '70s? I mean, is 1913</p> <p>2 so far off from --</p> <p>3 MS. ELMORE: I could add something to</p> <p>4 that perhaps. Noncontributing buildings in the</p> <p>5 districts are subject to the design guidelines. In</p> <p>6 all of our districts we review noncontributing</p> <p>7 buildings all the time for their exterior changes.</p> <p>8 We have a number of guidelines, you know, of course,</p> <p>9 windows, doors, roofs, cite in the myriad of them.</p> <p>10 So when we do have a noncontributing building that's</p> <p>11 making an exterior change, we do review it. So that</p> <p>12 example is in that vein of review per Certificate of</p> <p>13 Appropriateness.</p> <p>14 MR. GROSS: I think my point was more</p> <p>15 that we did not allow the changes that the homeowner</p> <p>16 wanted because they were considered, you know, part</p> <p>17 of the fabric of that structure.</p> <p>18 SPEAKER: (Inaudible.)</p> <p>19 MR. GROSS: I'm sorry, we're closed.</p> <p>20 Sorry.</p> <p>21 SPEAKER: (Inaudible.)</p> <p>22 MR. GROSS: Yeah, we're not taking any</p> <p>23 more comments.</p> <p>24 SPEAKER: (Inaudible.)</p> <p>25 ARC BOARD: Well, if I may, I think to</p>	<p style="text-align: center;">68</p> <p>1 safety of the structure moving forward, although I</p> <p>2 think that's a slippery slope to go down.</p> <p>3 I think that I kind of think that this</p> <p>4 is a time where we can use where it's not a -- not to</p> <p>5 diminish the people's feelings about having somebody</p> <p>6 who fought in the Confederate Army up on a horse,</p> <p>7 looking down, because it is the high point right</p> <p>8 there, looking down into the neighborhood, not to</p> <p>9 diminish that, I kind of feel like maybe this is a</p> <p>10 time where we can provide education that, you know,</p> <p>11 not everyone is good. There's more than one side and</p> <p>12 to -- this is actually also in the Mayor's</p> <p>13 commission's report that this could be a good time to</p> <p>14 make it a learning experience and to be more</p> <p>15 descriptive about, you know, General Castleman and</p> <p>16 his history and how it's helped shape, you know, our</p> <p>17 nation and, you know, the city of Louisville itself.</p> <p>18 ARC BOARD: Good luck with that.</p> <p>19 MR. GROSS: I mean, I think that when</p> <p>20 you go through the guidelines, I think it's hard to</p> <p>21 argue that other than the -- other than the Mayor's</p> <p>22 commission report, it's hard to argue that the statue</p> <p>23 should be removed; and if the city doesn't get any</p> <p>24 preferential treatment, then it's hard to follow the</p> <p>25 guidelines and both for its removal at the same time.</p>

<p style="text-align: center;">69</p> <p>1 (Applause from the audience.)</p> <p>2 SPEAKER: We the people.</p> <p>3 ARC BOARD: Well, I worry that it's</p> <p>4 going to be damaged repeatedly.</p> <p>5 MR. GROSS: All right. Are there any</p> <p>6 more -- anyone else want to weigh in?</p> <p>7 ARC BOARD: There is a second.</p> <p>8 MR. GROSS: There is a second, so we</p> <p>9 can go to a vote. All those in favor? You want to</p> <p>10 do -- you need to turn your mikes on before you --</p> <p>11 ARC BOARD: Yes, I'm in favor of</p> <p>12 staff's recommendation to remove the statue.</p> <p>13 MR. GROSS: That's a yes for the</p> <p>14 motion?</p> <p>15 ARC BOARD: Yes.</p> <p>16 ARC BOARD: Okay. Actually, I'm going</p> <p>17 to do a roll call vote.</p> <p>18 MR. GROSS: Okay.</p> <p>19 ARC BOARD: Orr?</p> <p>20 MS. ORR: Aye.</p> <p>21 ARC BOARD: Jackson?</p> <p>22 MS. JACKSON: Yes.</p> <p>23 ARC BOARD: Fuller?</p> <p>24 MR. FULLER: No.</p> <p>25 ARC BOARD: Marchal?</p>	<p style="text-align: center;">71</p> <p>1 Landmarks Commission.</p> <p>2 MR. GROSS: Okay. Does anyone want to</p> <p>3 offer up an alternative motion with a compromise?</p> <p>4 ARC BOARD: How do you compromise?</p> <p>5 ARC BOARD: Yeah.</p> <p>6 ARC BOARD: You're either going to</p> <p>7 leave him there or take him down.</p> <p>8 ARC BOARD: So folks who voted no on</p> <p>9 that motion, is there anything -- I'll just put the</p> <p>10 question to you then, is there anything that would</p> <p>11 make that agreeable, any condition or any sort of</p> <p>12 aspect with regards to our process that --</p> <p>13 MR. GROSS: I mean, I will say that I</p> <p>14 am walking a very thin line between both sides. It's</p> <p>15 a tough decision. I mean, I'm open to listening to</p> <p>16 suggestions, but I just feel that the application</p> <p>17 really doesn't meet the guidelines.</p> <p>18 ARC BOARD: Well, could he be removed</p> <p>19 for repair? Because, God knows, he's got so much</p> <p>20 paint all over him right now and then -- I don't</p> <p>21 know.</p> <p>22 MR. GROSS: I don't -- I mean, I</p> <p>23 wouldn't see anything wrong with that.</p> <p>24 SPEAKER: Then put him back.</p> <p>25 ARC BOARD: Well, I want it protected.</p>
<p style="text-align: center;">70</p> <p>1 MR. MARCHAL: Yes.</p> <p>2 ARC BOARD: Morris?</p> <p>3 MS. MORRIS: No.</p> <p>4 ARC BOARD: Gross?</p> <p>5 MR. GROSS: No.</p> <p>6 ARC BOARD: Thank you. You have a tie</p> <p>7 vote.</p> <p>8 MR. GROSS: All right. And we actually</p> <p>9 discussed this before. I believe a tie is deemed to</p> <p>10 be denied, is that correct? Deemed not to pass.</p> <p>11 Thank you. All right. So what does the --</p> <p>12 (Applause from the audience.)</p> <p>13 MR. GROSS: Please. So what does</p> <p>14 the -- do we ask for another motion if it is deemed</p> <p>15 not to pass?</p> <p>16 ARC BOARD: No. That's it.</p> <p>17 MR. GROSS: No. There's a difference</p> <p>18 between denied or deemed not to pass. So if the</p> <p>19 motion is deemed not to pass --</p> <p>20 SPEAKER: It could be committee's final</p> <p>21 action if you choose. If you felt there was room for</p> <p>22 compromise, that if a condition could be added, you</p> <p>23 could try another motion; but if you don't feel</p> <p>24 that's viable, this could be the final decision of</p> <p>25 the committee which could be appealed to the</p>	<p style="text-align: center;">72</p> <p>1 I don't want to see it continually vandalized.</p> <p>2 SPEAKER: (Inaudible.)</p> <p>3 ARC BOARD: What next statue? I mean,</p> <p>4 that's -- well, but that's a whole other issue.</p> <p>5 MR. GROSS: But that's another issue we</p> <p>6 really didn't get too far into is I think that the</p> <p>7 proposal to -- what they're going to replace him with</p> <p>8 leaves a lot to be desired.</p> <p>9 ARC BOARD: It was landscaping. It's</p> <p>10 what was there until 1913 which was growing.</p> <p>11 MR. GROSS: All 10 years?</p> <p>12 ARC BOARD: Yes.</p> <p>13 ARC BOARD: I have a question. Sarah,</p> <p>14 is Metro prepared to talk about next steps?</p> <p>15 MS. LINDGREN: So the city is currently</p> <p>16 in a conversation to move the sculpture to a new</p> <p>17 site.</p> <p>18 ARC BOARD: I'm sorry, I meant for this</p> <p>19 site.</p> <p>20 MS. LINDGREN: For this site, to</p> <p>21 replace it for this site? No. So there's no --</p> <p>22 there's no specific plan at this moment. We would</p> <p>23 put in some landscaping as an intermediate measure</p> <p>24 and a new public artwork could be proposed by a group</p> <p>25 and it would go through the process like any public</p>

<p style="text-align: right;">73</p> <p>1 property would, but there is no specific plan for an 2 artwork at this time.</p> <p>3 MR. GROSS: Is there any budget for 4 artwork?</p> <p>5 MS. LINDGREN: For this particular 6 site?</p> <p>7 MR. GROSS: For this particular site, 8 period, anywhere?</p> <p>9 MS. LINDGREN: So public art budgets 10 change. They vary each year. So at times we have 11 funding through grants. At times we have funding 12 through the (inaudible) and the Land Development Code 13 which is a restricted fund for public art at the 14 city, and sometimes we raise private funds and do a 15 public-private partnership to realize public art. So 16 there's not a specific fund identified for that 17 specific site at this time, but it's open -- it's 18 open for proposal.</p> <p>19 MR. GROSS: And I'm sorry I may have 20 cut you off, Sarah. Some folks made comment of the 21 treatment of the statue and this sort of thing, the 22 art. So what is Metro's position on it as a piece of 23 art and its due respect and treatment and so forth, I 24 mean?</p> <p>25 MS. LINDGREN: Right, so a couple of</p>	<p style="text-align: right;">75</p> <p>1 he would be vandalized again. I just feel that 2 until -- I don't know when, but sometime surely 3 cooler heads will prevail, but they're -- I don't see 4 them prevailing anytime soon and it's painful to see 5 the condition of the statue now. I just think it's a 6 shame.</p> <p>7 I, too, contributed to the last time 8 that he was refurbished and feel -- you know, I'm 9 very fond of that statue, but not just as a target 10 for somebody's anger; and, you know, some of the 11 anger is justified, some of it I don't know. It's 12 intense. It's intense.</p> <p>13 So there's nothing -- you know, if we 14 could just remove and -- and clean him up and 15 protect -- protect him, and I do think Cave Hill 16 would be a great place. Most of him is already there 17 anyway, you know, I mean, and it would be accessible. 18 Anybody can go into Cave Hill.</p> <p>19 MS. LINDGREN: Can I add one more 20 clarification to that that I had left off? There was 21 also a discussion about the piece being 22 deaccessioned. It would not be deaccessioned or 23 removed from --</p> <p>24 MR. GROSS: Could you define 25 deaccessioned?</p>
<p style="text-align: right;">74</p> <p>1 kind of clarifications because I know from the design 2 guidelines we use the word demolish, and in this case 3 this is an object that would not be demolished and 4 lost. In terms of preservation of history, it would 5 not be lost to our history.</p> <p>6 It is, as has been stated in public 7 announcements previously, that the city is in 8 discussion with Cave Hill about the possibility to 9 move the sculpture to Cave Hill where General 10 Castleman and his family are buried in the military 11 section that was already mentioned. That decision is 12 not finalized, but it is in progress at this time and 13 the sculpture would be preserved if it moves to a new 14 location.</p> <p>15 So in terms of preservation of history, 16 that is the process that is in progress right now is 17 to relocate it and preserve -- clean up the damage 18 that has been done over the past several months.</p> <p>19 MR. GROSS: Monica, is your in-favor 20 vote just for the safety of the monument itself?</p> <p>21 ARC BOARD: Well, that's what I base it 22 on. I just -- it's very painful to see what has 23 happened to it over the last several months and I 24 (inaudible) a lot of money cleaning him up. Sorry. 25 If we spend a lot of money cleaning him up, I think</p>	<p style="text-align: right;">76</p> <p>1 MS. LINDGREN: So deaccession is a 2 process by which you would remove an object from a 3 collection. So the city has a collection of objects 4 in its public art assets. And so to deaccession 5 objects would be to remove them from the city's 6 collection and -- some cities might do that if 7 something is in disrepair. It would be -- it would 8 be demolished in that case, but that's only if 9 something has been, you know, badly damaged or it 10 is -- the ownership is transferred to another entity.</p> <p>11 In this case we are not proposing a 12 deaccession. It would be a long-term loan to a new 13 location where it could remain accessible but not in 14 a public right-of-way.</p> <p>15 ARC BOARD: Are you saying that that's 16 kind of what was happened to the Confederate monument 17 downtown, it was deaccessioned from --</p> <p>18 MS. LINDGREN: No, it was moved to a 19 new location where it was in the context of a 20 historical site relevant to the Civil War. It is 21 loaned. It is not deaccessioned from the collection.</p> <p>22 ARC BOARD: Which monument? 23 ARC BOARD: The Confederate monument 24 has not been -- 25 ARC BOARD: From Old Louisville?</p>

<p style="text-align: center;">77</p> <p>1 ARC BOARD: Yeah.</p> <p>2 MS. LINDGREN: Correct.</p> <p>3 ARC BOARD: It was not deaccessioned?</p> <p>4 MS. LINDGREN: Correct.</p> <p>5 ARC BOARD: So that's -- technically,</p> <p>6 even though it's like in a whole different county,</p> <p>7 it's still the city of Louisville's statue?</p> <p>8 MS. LINDGREN: Right.</p> <p>9 MR. GROSS: Do they have something they</p> <p>10 can trade for it maybe?</p> <p>11 MS. LINDGREN: I'll ask about that.</p> <p>12 MR. GROSS: So do you have an estimate</p> <p>13 what it would cost to relocate the statue?</p> <p>14 MS. LINDGREN: I don't because there</p> <p>15 are so many unknowns about -- until you know where</p> <p>16 it's going and what -- you know, what the logistics</p> <p>17 of that are, I don't -- I don't have all those facts.</p> <p>18 MR. GROSS: Would it be enough to do</p> <p>19 some type of interpretive installment where the</p> <p>20 statue stands now, getting further explanation as to</p> <p>21 Castleman's life and even the community discussion</p> <p>22 that his -- this piece of art has fostered?</p> <p>23 MS. LINDGREN: Are you asking signage</p> <p>24 at the current site in the traffic circle? Is</p> <p>25 that --</p>	<p style="text-align: center;">79</p> <p>1 spot then.</p> <p>2 ARC BOARD: So to summarize, the intent</p> <p>3 is this artwork would remain within the collection of</p> <p>4 Louisville Metro --</p> <p>5 MS. LINDGREN: Correct.</p> <p>6 ARC BOARD: -- relocated elsewhere with</p> <p>7 respect, treated, just not at this location, I mean,</p> <p>8 treated as the venerable work of art that it is?</p> <p>9 MS. LINDGREN: Correct, and remain</p> <p>10 accessible.</p> <p>11 ARC BOARD: And remain accessible to</p> <p>12 the public.</p> <p>13 MR. GROSS: So back to business, do we</p> <p>14 have anyone that's changed their mind or do we want</p> <p>15 to let this tie be our final resting place for the</p> <p>16 committee and let the city push it up to the full</p> <p>17 Landmarks Commission where at least one of us will</p> <p>18 get to listen to it again?</p> <p>19 ARC BOARD: Well, I certainly like the</p> <p>20 idea of an explanation that's more adequate than that</p> <p>21 stupid historic marker that's been there for so long</p> <p>22 and is so inadequate.</p> <p>23 MR. GROSS: And missing right now?</p> <p>24 ARC BOARD: Well, finally. Ay yai yai.</p> <p>25 MR. GROSS: I mean, part of the -- part</p>
<p style="text-align: center;">78</p> <p>1 MR. GROSS: Yes.</p> <p>2 MS. LINDGREN: Not at the new location?</p> <p>3 At the current location?</p> <p>4 MR. GROSS: At the current location,</p> <p>5 yes.</p> <p>6 MS. LINDGREN: It would go -- that</p> <p>7 would go through the same proposal and approval</p> <p>8 process that any other artwork would, an interpretive</p> <p>9 piece. It would go through the Commission on Public</p> <p>10 Art. It would go through this committee as well,</p> <p>11 just like any other artwork.</p> <p>12 MR. GROSS: I guess to be more</p> <p>13 straightforward with the question, could we use the</p> <p>14 funds that would be used to relocate the statue to do</p> <p>15 that installment?</p> <p>16 MS. LINDGREN: And keep the sculpture</p> <p>17 in place?</p> <p>18 MR. GROSS: Correct.</p> <p>19 MS. LINDGREN: I don't know that that</p> <p>20 proposal has been specifically submitted or</p> <p>21 considered.</p> <p>22 MR. GROSS: Would you consider it?</p> <p>23 MS. LINDGREN: I don't know that I</p> <p>24 would be the person to consider it, but I'm --</p> <p>25 MR. GROSS: We won't put you on the</p>	<p style="text-align: center;">80</p> <p>1 of the Mayor's study, you know, that was described,</p> <p>2 you could do interpretive works or, you know, another</p> <p>3 piece of artwork that, you know, reflects the other</p> <p>4 side.</p> <p>5 I think the problem with another piece</p> <p>6 of artwork is that that Castleman statue is so</p> <p>7 prominent that, you know, anything else would be</p> <p>8 subservient to it, so I think really the only answer</p> <p>9 is to do something interpretive that, you know, is</p> <p>10 right with the monument so you pretty much, you know,</p> <p>11 see them both together and an explanation as to -- as</p> <p>12 to, you know, how we got to where we are today. I</p> <p>13 think if this were a man in a Confederate uniform, it</p> <p>14 would be absolutely no question.</p> <p>15 ARC BOARD: Absolutely.</p> <p>16 MR. GROSS: I think that the Castleman</p> <p>17 statue has so many more nuances and it is -- it's so</p> <p>18 ingrained in the historic district in which it sits</p> <p>19 that taking it out without trying an alternative</p> <p>20 measure first would be -- would cause irreparable</p> <p>21 damage -- and it's not really irreparable because I</p> <p>22 think, you know, 20, 30 years down the road as</p> <p>23 history, you know, continues to make itself, you</p> <p>24 know, people will forget all about that the statue</p> <p>25 was ever there, you know, until they look at a coffee</p>

<p style="text-align: right;">81</p> <p>1 table book or somebody's, you know, hundred year</p> <p>2 historical marker on their house and say, oh, well,</p> <p>3 that's, you know, an interesting guy on a horse, but,</p> <p>4 I mean, I think that it's a difficult situation.</p> <p>5 ARC BOARD: Well, they all become</p> <p>6 difficult. I mean, Thomas Jefferson had slaves until</p> <p>7 the day he died and did not free them in his will.</p> <p>8 So should we take Thomas Jefferson down from in front</p> <p>9 of the building on Jefferson Street?</p> <p>10 MR. GROSS: That's not our problem</p> <p>11 today.</p> <p>12 ARC BOARD: Well, I realize that, but</p> <p>13 in some ways, you know, there's an equivalence there.</p> <p>14 Well, if we have -- if we have a tie, then it goes to</p> <p>15 the full Landmarks Commission. Maybe the full</p> <p>16 Landmarks Commission can sort it out. How is that</p> <p>17 for passing the buck?</p> <p>18 MR. GROSS: Maybe they are wiser than</p> <p>19 we.</p> <p>20 ARC BOARD: But I think there does need</p> <p>21 to be more discussion of this before we do anything</p> <p>22 terribly hasty, although really I do worry. As I</p> <p>23 say, if people are hot headed enough to throw paint</p> <p>24 and write things on a thing that is so handsome,</p> <p>25 they'll do anything.</p>	<p style="text-align: right;">83</p> <p>1 going to change our minds which it's looking like it,</p> <p>2 is the applicant willing to consider other options?</p> <p>3 MS. LINDGREN: Consider other options?</p> <p>4 ARC BOARD: Other options than just</p> <p>5 removal?</p> <p>6 MS. LINDGREN: Such as? Like the</p> <p>7 signage, is that what we're -- the additional</p> <p>8 signage?</p> <p>9 ARC BOARD: Yeah, or something of that</p> <p>10 nature, I mean.</p> <p>11 MS. LINDGREN: Well, I think that it's</p> <p>12 already been publically announced, the Mayor's</p> <p>13 intention to remove it from public space based on the</p> <p>14 18-month process that we described, an extensive</p> <p>15 community engagement process that opened many avenues</p> <p>16 for community input on the subject, and that's what</p> <p>17 that decision was based on, the community's input and</p> <p>18 a development of a system of criteria that was -- the</p> <p>19 entire public process was not specifically about</p> <p>20 Castleman or any one object. It was about principles</p> <p>21 and criteria on which we should make these decisions,</p> <p>22 how we would gather information and how we would</p> <p>23 consider an object to kind of take out some of the --</p> <p>24 like in this situation with the Castleman monument,</p> <p>25 we have conflicting narratives. We have for and</p>
<p style="text-align: right;">82</p> <p>1 MR. GROSS: And they will.</p> <p>2 ARC BOARD: Well, that's what I worry</p> <p>3 about.</p> <p>4 MR. GROSS: And, you know, they will</p> <p>5 find other things to move on to after that probably.</p> <p>6 ARC BOARD: Well, maybe, but this seems</p> <p>7 to be an issue that doesn't want to go away.</p> <p>8 ARC BOARD: If I may, I think getting</p> <p>9 back to the question of what's appropriate in a</p> <p>10 historic preservation district and the matter that's</p> <p>11 really before the ARC and applying the design</p> <p>12 guidelines upon which we have to make findings and</p> <p>13 conclusions, especially if they are different --</p> <p>14 well, unless we do a motion to deny or something,</p> <p>15 then we have to make alternate findings and</p> <p>16 conclusions or we just let it die.</p> <p>17 Another option is to defer</p> <p>18 consideration if we feel that there's other</p> <p>19 information that staff or applicant could obtain for</p> <p>20 us to help us make the decision, I mean, if we feel</p> <p>21 like we don't have enough information tonight.</p> <p>22 Does anybody have a mind that they are</p> <p>23 needing something additional for consideration?</p> <p>24 ARC BOARD: Well, I guess to further</p> <p>25 that point, I mean, if none of the six of us are</p>	<p style="text-align: right;">84</p> <p>1 against and facts that often contradict one another,</p> <p>2 so it is difficult sometimes to determine what the</p> <p>3 historical facts of this person were and what the</p> <p>4 perceptions of him were throughout history.</p> <p>5 So the purpose of the principles and</p> <p>6 criteria are to ask what is the community's response</p> <p>7 now and how do we see it in the context of our time</p> <p>8 now and address that.</p> <p>9 The perception of objects can change</p> <p>10 over time. Public art is never intended to be</p> <p>11 forever in any case, and it changes with the public.</p> <p>12 It changes to reflect its public that surround it.</p> <p>13 And so I think that's what the criteria</p> <p>14 are developed to address is that history doesn't</p> <p>15 change, but our perception of it does and our</p> <p>16 understanding of it does and our response to it does.</p> <p>17 So while we can acknowledge historic</p> <p>18 contributions of a person and acknowledge the</p> <p>19 contribution of a sculpture and a place and its</p> <p>20 significance over time, that can change.</p> <p>21 You know, we've talked about its</p> <p>22 appearance in the designation report in 1975 and how</p> <p>23 it was referred to. It's also -- some of the</p> <p>24 contextualization around it is another change that</p> <p>25 has happened over time, so the historical markers,</p>

<p style="text-align: center;">85</p> <p>1 its designation on the National Register, et cetera, 2 were all later, all in the '90s, and all in the 3 context of the Civil War and Castleman's significance 4 in the Civil War. So, you know, that wasn't -- 5 ARC BOARD: (Inaudible.) 6 MS. LINDGREN: I'm sorry? 7 ARC BOARD: That's not true. 8 MS. LINDGREN: Okay. About the 9 signage? 10 ARC BOARD: It was not primarily in the 11 context of his participation in the Civil War. 12 MS. LINDGREN: Okay, the designation of 13 it in the National Register is in the context of the 14 Civil War. I'm sorry, I didn't mean to include all 15 of those are in the context of the Civil War, just 16 that one designation. 17 So -- but the point is that its 18 appearance in history and the designation report and 19 the signage that is around it has changed over time. 20 And so back to what I was trying to say about the 21 criteria is recognition of that fact and that is how 22 the decision was made and I think that it was made 23 because of the community input and an additional 24 contextualization doesn't necessarily change its 25 appearance and how it weighs up against that</p>	<p style="text-align: center;">87</p> <p>1 ARC BOARD: Second. 2 MR. GROSS: So move. All favor? 3 ARC BOARD: Aye. 4 * * * * * 5 STATE OF KENTUCKY : 6 : SS 7 COUNTY OF JEFFERSON : 8 I, SHERRILYN D. RHODE, Registered Professional 9 Reporter, Certified Court Reporter, and Notary Public 10 within and for the State at Large, my commission as 11 such expiring July 19, 2022, do hereby certify that 12 the foregoing transcript from digital recording was 13 reduced by me to shorthand writing; that the 14 foregoing is a full, true and correct transcript from 15 the digital recording to the best of my ability. 16 WITNESS my hand this the 29th day of January, 17 2019. 18 19 20 21 22 23 24 25</p> <hr/> <p>SHERRILYN D. RHODE REGISTERED PROFESSIONAL REPORTER CERTIFIED COURT REPORTER, KENTUCKY CERTIFICATE NO. 20042A100 NOTARY PUBLIC, STATE AT LARGE</p>
<p style="text-align: center;">86</p> <p>1 criteria. 2 MR. GROSS: So I don't remember the 3 report. Was the Castleman specifically referenced as 4 needing to be removed in the report? (Inaudible.) 5 MS. LINDGREN: No specific object was 6 mentioned in that report. That was not the task of 7 that committee. It was to discuss public art and 8 monuments in a broader context. We tried very hard 9 to not direct that process on any one specific 10 artwork. It was meant to be for any artwork. 11 MR. GROSS: Thank you. As a chairman, 12 can I even make a motion? I don't believe I can. Do 13 you want to -- 14 ARC BOARD: No, I'm not going to 15 (inaudible.) 16 MR. GROSS: All right. Well, absent 17 anyone else willing to put up an alternative motion, 18 the three-three vote is going to be deemed as denied 19 per the Landmarks guidelines. So I'm going to give 20 one final chance to anyone willing to step forward. 21 Seeing none, the motion is deemed denied. Sorry. 22 See you at Landmarks -- or I won't, but Chris will. 23 So that concludes our meeting and -- 24 ARC BOARD: I move that we adjourn. 25 (Applause from the audience.)</p>	

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