

SECTION 5

Transcript of the
March 4, 2019
Landmark Commission
Hearing
1201 Marilla Street
CD189-007(LC)

TRANSCRIPTION OF EXCERPTS OF AUDIO RECORDING

LANDMARK COMMISSION PUBLIC HEARING

CITY OF DALLAS, TEXAS

CASE CD189-007(LC)

1201 MARILLA STREET (PIONEER CEMETERY)

DATE OF HEARING: MARCH 4, 2019

DATE OF TRANSCRIPTION: APRIL 8, 2019

1 T R A N S C R I P T I O N

2 CHAIRWOMAN SEALE: Landmark Commissioners,
3 I'd like to ask all of you to disclose any ex parte
4 communications that you may have received on any of the
5 cases. And Commissioners, we do not need to hear every
6 single ex parte communication, just that you have
7 received it and that you have turned it in to staff.

8 And I'll go ahead and start us off. Because
9 the Landmark Commission operates in a quasi judicial
10 capacity in regard to applications for demolition or
11 removal cases, any information I obtained outside of the
12 hearing should be disclosed on the record.

13 For the record, I, Katherine Seale,
14 approximately one month ago have received ex parte
15 communication, which I've forwarded on to our city staff
16 and our commission secretary and that has been
17 distributed to the rest of the Landmark Commission.

18 So if anybody else has any ex parte
19 communication they'd like to put on the record, please
20 do so.

21 UNKNOWN SPEAKER: Just, or any e-mail we've
22 received?

23 CHAIRWOMAN SEALE: Yeah, and you don't need
24 to list the e-mail or the contents, just you want to put
25 into the record that you received something if you have

1 received something.

2 UNKNOWN SPEAKER: And do you want us to
3 state it or just fill it out?

4 CHAIRWOMAN SEALE: Just state it for the
5 record, correct, Ms. Holmes?

6 COMMISSIONER SLADE: For the record, I, Katy
7 Slade, received an e-mail approximately a week ago about
8 the D-1 case.

9 CHAIRWOMAN SEALE: Thank you. Commissioner
10 Flabiano.

11 COMMISSIONER FLABIANO: Yes, so I, Mattia
12 Flabiano, received approximately a week ago
13 communication regarding D-1, which was forwarded to city
14 staff.

15 CHAIRWOMAN SEALE: Thank you. Mr. Childers.

16 COMMISSIONER CHILDERS: I, Sam Childers,
17 received an e-mail correspondence to the city
18 approximately a week ago as well.

19 CHAIRWOMAN SEALE: Thank you. Anybody else?
20 Commissioner Payton.

21 COMMISSIONER PAYTON: Yes, I received a
22 phone call approximately one week ago about the
23 memorial.

24 CHAIRWOMAN SEALE: Thank you. Okay. At
25 this time we're going to go over, since some of you,

1 this is your first meeting of the commission, we're
2 going to go over some general housekeeping so you know
3 how things are going to run.

4 We have a very full agenda. The Landmark
5 Commission meets once a month and this is our normal
6 regular monthly meeting. So because of that, and we
7 also want to give everybody and opportunity to speak. I
8 just wanted to let you-all know about we've got a lot of
9 items and many of you today aren't here for D-1 and we
10 want to get to everybody.

11 So in light of that, we're asking you-all as
12 speakers to follow the rules of decorum just as you
13 would at any public hearing, be respectful of all
14 people's opinions and time at the microphone.

15 I will be directing security to intervene if
16 any person is acting inappropriately or speaking when
17 they do not have the floor. I think everybody filled
18 out one of these yellow cards.

19 But if you find yourself, that you want to
20 speak and you hadn't planned on it, just go ahead and
21 fill -- you can come down to the podium, we don't want
22 to cut anybody off. But come down to the podium and
23 fill out a yellow card and just leave it with us before
24 you leave.

25 The Landmark Commission will take about a

1 ten-minute break somewhere around 3:30. And now to get
2 into some of the specifics of D-1, which is the request
3 from the City to remove the Confederate Memorial in
4 Pioneer Park.

5 The applicant will have five minutes to
6 present and then we'll take questions from the Landmark
7 Commission. Then public speakers will have one minute
8 to present their opinion and we'll have the clock
9 running for you, so you can keep track of your time.

10 We'll hear first from all of those who are
11 in favor of the City's request, and then we'll hear from
12 all of those who are opposed to the request. And if
13 you-all wouldn't mind, it will help us sort of expedite
14 things, if you know that you're going to speak in favor,
15 then we're going to have a line going so that it will
16 keep us on track today.

17 And then same thing when we hear from those
18 of you who are in opposition, when we call for the
19 opposition, sort of line yourselves up single file.

20 Everyone who wants to speak on the matter
21 will be heard today. We generally have a cap, those
22 speakers, a time cap for 15 minutes per side, but we
23 want to hear from everybody today. So we're going to
24 lift our cap and anybody who would like to speak to the
25 Landmark Commission will have the opportunity to do

1 that.

2 Just a reminder to state your name and
3 address into the microphone before you begin your
4 comments, address the chair, and only the chair. And
5 Commissioners, any questions directed at a public
6 speaker must relate to the three-pronged standard which
7 you'll be making your decision.

8 So with that, if you plan to speak today, if
9 you've signed a yellow card or even if you think you
10 might speak, please stand and raise your right hand so
11 that I may swear you in.

12 Do you swear or affirm to tell truth in your
13 statements and answer any questions by the committee?
14 Thank you. You may be seated.

15 (End of first audio segment at 7:09.)

16 (Beginning of second audio segment at 9:09.)

17 CHAIRWOMAN SEALE: So with that, D-1.

18 UNKNOWN SPEAKER: Discussion item No. 1,
19 located at 1201 Marilla Street, Pioneer Cemetery,
20 CD189-007(LC). The request is to remove the Confederate
21 monument from Pioneer Cemetery using the standard
22 demolition or removal of a non-contributing structure
23 because it is newer than the period of significance.

24 Staff recommendation; approve. The proposed
25 removal meets the standards in City Code section

1 51A-4.501(h)(4)(D). The monument is non-contributing to
2 the historic overlay district. It was installed after
3 the period of significance and removal of the monument
4 will not adversely affect the historic character of the
5 property or the integrity of the historic overlay
6 district.

7 UNKNOWN SPEAKER: Task force
8 recommendations; comments only, no quorum. Comments;
9 that the application be approved as submitted as the
10 structure is non-contributing to the overlay district;
11 newer than the period of historic significance; and
12 removal will not affect adversely the historic character
13 or integrity of the overlay district.

14 CHAIRWOMAN SEALE: Now, Ms. Scrips, we're
15 ready for you.

16 MS. SCRIPS: Good afternoon, my name is
17 Jennifer Scrips, I'm the director of the Office of
18 Cultural Affairs for the City of Dallas. Today marks
19 the culmination of about 18 months' worth of work and we
20 are seeking a certificate of removal.

21 I know the word "demolition" is in the name,
22 but I'm joined today by Kay Calose who runs our public
23 art program. We work with certified conservators that
24 meet the national standards and qualified contractors,
25 so this would be a removal in the truest sense.

1 It was placed there in the '60s, almost
2 40 years after the last body and burial occurred in the
3 historic cemetery, and so we feel comfortable that it is
4 non-contributing.

5 And additionally, if you followed the
6 National Park Service's national guidelines, once it's
7 moved, it is also automatically considered
8 non-contributing. So that's the basis for our
9 application.

10 CHAIRWOMAN SEALE: Thank you.
11 Commissioners, questions for the applicants?
12 Commissioner Payton. Commissioner Flabiano.
13 Commissioner Childers.

14 COMMISSIONER CHILDERS: Thank you, Madam
15 Chair. Ms. Scrips, can you refresh my memory, and, for
16 the record, the mayor put together a task force on
17 Confederate monuments. Can you, for the record and to
18 refresh my memory, let us know what the recommendations
19 of that task force was.

20 MS. SCRIPS: Yes, great question. I will
21 read the exact recommendation that was briefed to city
22 council on November 1st, 2017. That was a little over a
23 month I think from when the task force completed their
24 work.

25 Task force recommendation 1-B; that the City

1 of Dallas seek to place the Confederate monument
2 memorial on long-term loan or by donation to a museum,
3 educational institution, or educational site located
4 within North Texas so that it may be preserved and used
5 for educational purposes through display within the full
6 historical context of the Civil War, reconstruction,
7 Lost Cause mythology, and the Jim Crow era.

8 If the City is unsuccessful in its efforts
9 and the statues remain in storage after three years, the
10 city council should revisit this issue.

11 CHAIRWOMAN SEALE: Commissioner Swann.

12 COMMISSIONER SWANN: Yes, Ms. Scrips. Under
13 ordinance No. 24938, which created the Pioneer Cemetery
14 Landmark District, what kind of monuments are protected?

15 MS. SCRIPS: Are you referring to the
16 definition of monuments? They can be grave markers,
17 monuments, and tombs?

18 COMMISSIONER SWANN: If it's relevant to my
19 question, yes.

20 MS. SCRIPS: It's a little bit unclear. My
21 understanding in the overlay from 2002, they believed
22 they were talking about the monuments that are the grave
23 monuments.

24 COMMISSIONER SWANN: Are you referring to
25 4.1 under preservation criteria, section 4.1?

1 MS. SCRIPS: Yes.

2 COMMISSIONER SWANN: Okay. What's the full
3 wording of that?

4 MS. SCRIPS: It says existing grave markers,
5 monuments, and tombs are protected.

6 COMMISSIONER SWANN: Okay. Is it your
7 position that at the time those words were written the
8 Confederate monument did not exist?

9 MS. SCRIPS: The Confederate monuments
10 obviously existed at that time. We believe that word
11 "monuments" is referring to -- because on the overlay it
12 was actually called the Confederate Memorial, which
13 is -- the Civil War Memorial, excuse me, which is a very
14 misleading name.

15 It is not a Civil War memorial, it is a
16 Confederate monument and there's a difference.

17 And because it's all to the Confederates,
18 not the Civil War, that we believe that the way it was
19 literally drawn in the map from 2002 is also misleading.

20 COMMISSIONER SWANN: But the only
21 qualification that the ordinance makes, and it's quite
22 specific, is existing, correct?

23 MS. SCRIPS: Well, we believe it's
24 non-contributing because it was moved there in 1961.

25 COMMISSIONER SWANN: Okay. And it was moved

1 there for what reason?

2 MS. SCRIPS: Because they built I-30 that
3 took it out of Old City Park.

4 COMMISSIONER SWANN: Okay. So, in other
5 words, it was moved there because, basically because
6 there was a conflict between preservation of the
7 historic resource and an alternative land use; is that
8 correct?

9 MS. SCRIPS: I can't speak to that, in 1961.

10 COMMISSIONER SWANN: I think that describes
11 it pretty well. A freeway is an alternative land use
12 from a public park, correct?

13 MS. SCRIPS: I guess it's an alternative, I
14 don't know that.

15 COMMISSIONER SWANN: Well, I'm addressing
16 this because one of our purposes as the Landmark
17 Commission is to resolve conflicts between the
18 preservation of historic resources and alternative land
19 uses.

20 And of course at that time there was no
21 Landmark Commission, but had there been I think that
22 moving it to a monument with a Confederate soldier at
23 the top to a cemetery that has many, many Confederate
24 dead so noted in it would be quite an appropriate
25 resolution in that kind of conflict.

1 MS. SCRIPS: Well, I have to beg to differ.
2 There's actually a Confederate monument in the
3 Confederate cemetery in Dallas, in South Dallas, which
4 would have been more appropriate if we had sought to put
5 that monument close to the Confederate dead, which we
6 did not do.

7 And The Dallas Morning News article from
8 1962 actually chose this site because of its higher
9 visibility, which is in keeping with the lost cause
10 mythology from the '60s.

11 COMMISSIONER SWANN: Okay. But it doesn't
12 erase the fact that many of the nearest graves are
13 Confederate graves.

14 MS. SCRIPS: We always think of them as
15 Dallas founding families. I can't speak to the number
16 of Confederates.

17 COMMISSIONER SWANN: Okay. All I'm saying
18 is that they are marked with tombstones in the
19 Confederate style that was government issued and their
20 regimental affiliations are noted on their tombstones.
21 Thank you.

22 CHAIRWOMAN SEALE: Commissioner Williams.

23 COMMISSIONER WILLIAMS: Yes. Speaking to
24 the point of it being newer of the period of
25 significance, when was it actually built?

1 MS. SCRIPS: In the 1890s, I want to say
2 1896.

3 COMMISSIONER WILLIAMS: 1896, according to
4 our materials, which would clearly put it within the
5 period of significance, which ended in 1921.

6 MS. SCRIPS: Right.

7 COMMISSIONER WILLIAMS: That's my question.

8 CHAIRWOMAN SEALE: Commissioner Strickland.

9 COMMISSIONER STRICKLAND: It was the
10 monument -- to touch upon the last question, it was
11 built in 1896, but it was chosen not to be placed in the
12 Pioneer Park at that time.

13 Do you know, do you have any evidence as to
14 why they chose to place it where they originally chose,
15 as opposed to putting it in the cemetery at that time?

16 MS. SCRIPS: Well, my understanding is the
17 Old City Park location was very much a popular city
18 park. The unveiling was a city holiday, thousands and
19 thousands of people came out for a parade so I think it
20 was just a -- it was a park in the truest sense rather
21 than putting it in a cemetery.

22 COMMISSIONER STRICKLAND: Follow-up
23 question. There are four -- the memorial we're talking
24 about has four actual people depicted and then it has a
25 center monument to it.

1 Are any of the four people that are depicted
2 in there, could you explain who they are and what is
3 their significance as a pioneer for the City of Dallas?

4 MS. SCRIPS: Great question. They were all
5 leading Confederates, Stonewall Jackson, Robert E. Lee,
6 Albert Sidney Johnson who was a four-star general from
7 Texas, and Rusk -- Jefferson Davis who was the president
8 of the Confederacy.

9 And then the middle one is a Confederate
10 private and he's facing south, which is very typical of
11 these kinds of monuments. To my knowledge, they all
12 have very scant relationships, direct relationships to
13 Dallas.

14 CHAIRWOMAN SEALE: Any other questions for
15 the applicant? Commissioner Swann.

16 COMMISSIONER SWANN: Yes, Ms. Scrips. Are
17 there other monuments or structures that were moved to
18 or constructed within the boundaries of the landmark
19 district subsequent to 1921?

20 MS. SCRIPS: Subsequent to 1921?

21 COMMISSIONER SWANN: After 1921.

22 MS. SCRIPS: Not to my knowledge.

23 COMMISSIONER SWANN: The John Neely Bryan
24 memorial, was that not built after 1921, the one that
25 says 1954 on it?

1 MS. SCRIPS: Again, I'm not an expert on the
2 entire overlay, I'm just -- I can't speak to that. Can
3 somebody else, staff, help me out? I don't know.

4 COMMISSIONER SWANN: Well, it's right in
5 front of the monument and within the landmark boundary,
6 erected to John Neely Bryan in 1954.

7 MS. SCRIPS: I can't speak to that. I'm not
8 here to discuss that. I'm hear to discuss --

9 COMMISSIONER SWANN: Well, if the standard
10 for this is non-contributing based on when it was moved,
11 have we initiated a procedure for removing the John
12 Neely Bryan monument as well?

13 MS. SCRIPS: No. Because I don't think that
14 offends a large portion of the Dallas population.

15 COMMISSIONER SWANN: Okay, thank you. Now,
16 that's why we are removing the monument.

17 MS. SCRIPS: It's also not property of the
18 City of Dallas. This is property of the City of Dallas
19 art collection so I'm not concerned with that one.

20 COMMISSIONER SWANN: Okay. But thank you
21 for clarifying because this is not apparently a drive to
22 remove non-contributing structures as you define them.
23 It's about something else. It's about --

24 MS. SCRIPS: This is a piece in our public
25 art collection.

1 COMMISSIONER SWANN: Okay. Thank you, Ms.
2 Scripts.

3 CHAIRWOMAN SEALE: I'm sorry. Ladies and
4 gentlemen, please hold your applause. Thank you. All
5 right. Other questions? Commissioner Spellicy.

6 COMMISSIONER SPELLICY: Before granting the
7 certificate of demo or anything like that, we typically
8 require a structural review of some kind.

9 Also, if we're moving structures within a
10 district or an individual registered landmark, some type
11 of documents that indicate how that's going to occur but
12 still provide preservation, to provide the rest of
13 the -- you get where I'm going. Have you gotten
14 anything that indicates?

15 MS. SCRIPS: I want to make sure, we go
16 through a very prescribed bid process or scope of work.
17 And something like this is obviously very delicate. We
18 will be providing scaffolding around it to protect the
19 surrounding graves. We'll have to get the height to
20 dismantle it.

21 We will work only with qualified bidders.
22 We have a conservator that always helps Kay and her team
23 that adheres to all national guidelines. They're part
24 of the national certification to keep their license as
25 conservators. There's only a handful of people in the

1 North Texas metroplex that are qualified.

2 We adhere to all of those best practices.

3 Again, I really want to stress removal and not
4 demolition.

5 CHAIRWOMAN SEALE: Commissioner Montgomery.

6 COMMISSIONER MONTGOMERY: On that issue of
7 removal, Ms. Scrips, that is specifically what we've
8 been asked to issue is a certificate for removal. And
9 you have stated that this piece is part of the City of
10 Dallas art collection.

11 So if we approve removal, is there something
12 in your own paperwork governing the art collection that
13 says you do have to maintain and keep it someplace at
14 least for three years until the city council --

15 MS. SCRIPS: Absolutely. Our public art
16 committee has not de-accessioned it so it's still part
17 of our public art collection and we have a facility at
18 Hensley Air Force Base that is city-owned where it can
19 be held in safekeeping, secured, and so forth.

20 COMMISSIONER MONTGOMERY: So we have some
21 sort of guarantee within your own rules that you can't
22 just go out and take it in the dark of night and destroy
23 it?

24 MS. SCRIPS: Yes. Good question.

25 CHAIRWOMAN SEALE: Other questions?

1 Commissioner De Le Harpe.

2 COMMISSIONER DE LA HARPE: Thank you. To
3 date are there any valid options for this memorial,
4 where it can go, where it can serve its purpose?

5 MS. SCRIPS: The artist is well known in
6 Texas. We believe he did probably a third of all
7 Confederate monuments in the state of Texas. But we
8 have not had any serious takers to host it, especially
9 given the stipulations of the task force. We would want
10 it to be properly contextualized.

11 And so it's not an insignificant cost to
12 transport it and reassemble it. But we entertain all
13 inquiries as they come in. We've done a lot of
14 outreach, but nothing has really been fruitful.

15 COMMISSIONER DE LA HARPE: Thank you.

16 CHAIRWOMAN SEALE: Commissioner Childers.

17 COMMISSIONER CHILDERS: Can you maybe
18 describe a little more of the outreach efforts you've
19 made. Museums? Educational groups? Can you describe a
20 little more.

21 MS. SCRIPS: Yes. So we've had several
22 visits that we've made to other institutions in North
23 Texas. Throughout the original task force that you
24 referenced, there were five or six public meetings. And
25 it definitely generated a lot of PR so we got a lot of

1 inquiries, everything from private collectors, small
2 towns that want these kinds of things.

3 Again, they don't want to do any of the
4 contextualization that we're asking for. There are
5 efforts in South Texas to try to collect some of these
6 statues from across the state. There's some
7 out-of-state entities. It's extremely expensive to
8 start talking about shipping this stuff to Virginia or
9 North Carolina.

10 Most of the large battlefields have room for
11 them, but, again, we haven't had any serious
12 conversations, plus they don't meet the stipulation that
13 it remain in North Texas.

14 CHAIRWOMAN SEALE: Commissioner Strickland.

15 COMMISSIONER STRICKLAND: You mentioned
16 earlier, I just wanted more clarification on the
17 difference between what is a Civil War monument versus
18 what is a Lost Cause mythology and memorial to that,
19 historically speaking.

20 MS. SCRIPS: Thank you for that. I was
21 really struck when you look at the documents that refer
22 to this as a Civil War piece when it is clearly a
23 Confederate piece. If you take a close look, obviously
24 the people depicted are Confederates. All of the
25 inscriptions are to the Confederates.

1 And throughout our research in the original
2 task force work, we were really struck by the pervasive
3 myth of the Lost Cause mythology and the way it both
4 explained the defeat of the South, it explained, or
5 tried to explain, and glorify, why, even though in loss,
6 in losing they were glorious, and I can read you our
7 summary slide, that was presented to council.

8 But, you know, the Confederate Daughters of
9 America, the daughters of the Confederacy, that funded
10 the sculpture was known for that work throughout the
11 country. And so the Lost Cause did become wildly
12 accepted. It was in place exactly in this era.

13 It helped southerners to cope with the
14 social, political, and economic changes after the Civil
15 War, especially in the reconstruction era. It focused
16 on the defense of states rights rather than preservation
17 of slavery as the primary cause that led eleven southern
18 states to secede. All of that has been debunked.

19 It viewed secession as a justifiable
20 constitutional response to northern cultural and
21 economic aggression against the southern way of life.
22 It presented slavery as a benign institution in which
23 the slaves were treated well and cared for and loyal and
24 faithful to their benevolent masters.

25 And it adopted and spread via popular

1 culture like with Gone With the Wind and The Birth of a
2 Nation. The Lost Cause in summary provided the
3 justification and support for the Jim Crow system of
4 rigid segregation which was the South for 100 years
5 after the Civil War.

6 And it's for those reasons that I believe
7 council has instructed staff to continue to proceed.

8 CHAIRWOMAN SEALE: Commissioner, really for
9 all of the commission, just a reminder that you want to
10 direct your questions based on our three-pronged
11 standard.

12 Commissioner Hinojosa.

13 COMMISSIONER HINOJOSA: Ms. Scrips, can you
14 explain again or further what contextualization the City
15 is seeking for this monument. What is that
16 contextualization?

17 MS. SCRIPS: Are you talking about for the
18 original task force recommendation? Because today we're
19 seeking a certificate of removal.

20 COMMISSIONER HINOJOSA: No, I know that.
21 But you keep mentioning contextualization --

22 MS. SCRIPS: If we were to find a partner to
23 put it on display in North Texas, the original task
24 force, wants it displayed with an explanation of the
25 Lost Cause, Jim Crow. It was a full historical context

1 of the Civil War, reconstruction, Lost Cause mythology,
2 and the Jim Crow era.

3 CHAIRWOMAN SEALE: Other questions?
4 Commissioner Flabiano.

5 COMMISSIONER FLABIANO: Maybe you can
6 clarify a little bit better. So we have three criteria
7 that we have to address and item 1 is regarding
8 non-contributing to the historic overlay district and
9 item 2 is newer than the period of historic significance
10 for the overlay district and then it will not have an
11 adverse effect if it's removed.

12 So you could -- could you summarize in each
13 one of those the City's --

14 MS. SCRIPS: Sure. So you want to take it
15 one by one?

16 COMMISSIONER FLABIANO: Yeah, if you could,
17 to recap that before we get into the --

18 MS. SCRIPS: Right. So the first one is
19 that it's non-contributing because it was basically from
20 a -- it was moved there and it's not from the period of
21 significance of the historic overlay district, which was
22 from 1849 to 1921.

23 The second one is that if you read the 2002
24 Pioneer Cemetery overlay application, it's all about the
25 cemetery and the graves there and the historic four

1 cemeteries that were combined into that site.

2 And then the third -- what was the third
3 piece? I'm sorry, I'm not looking at that.

4 COMMISSIONER FLABIANO: That the demolition
5 or the removal would not have --

6 MS. SCRIPS: You could remove this and it
7 does not adversely impact what is left, which is the
8 historic cemetery, which is from 1849 to 1921.

9 And furthermore, if you follow the National
10 Historic Registry guideline, by definition of the fact
11 that it has been moved, it can be considered
12 non-contributing; National Park Service.

13 COMMISSIONER FLABIANO: Thank you.

14 CHAIRWOMAN SEALE: Other questions for the
15 applicant? Okay. Well, at this time, then, if we would
16 like, we're going to hear from all of those who would
17 like to speak in favor of the application.

18 And if you-all wouldn't mind forming a line
19 down here and we will run the clock so you guys can keep
20 track of your time.

21 And just a reminder, before you begin your
22 comments to state your full name and address into the
23 record.

24 MR. FULLINWIDER: I'm John Fullinwider. I
25 think the staff has done a good job of summarizing how

1 the removal of this monument fits within the guidelines
2 of the commission. So it's within your guidelines to
3 take it down or to leave it standing.

4 You have a choice to remove this monument to
5 slavery, treason, and racism or to let it continue to
6 blight the symbolic landscape of the city. The people
7 of Dallas deserve a public landscape that affirms the
8 full humanity of everyone who lives here, not this
9 godforsaken monument that honors what should be
10 condemned.

11 I hope you'll do the right thing today and
12 approve the permit to remove. Thank you very much.

13 MR. BRITT: Gerald Britt, 1610 South Malcolm
14 X Boulevard. Thank you today for hearing all of us. I
15 want to commend the city staff for getting this right.

16 It is important for us to understand that as
17 of 18 months ago, it was voted upon by the city council
18 that these monuments now stand against city policy.

19 These are images erected in memory of those
20 who fought to maintain a system of chattel slavery.
21 Other states, indeed other civilizations, have rejected
22 any historical premise on which these monstrosities
23 remain in our midst.

24 Should this monument remain, it's only right
25 for us to call for the erection of a monument in memory

1 of Nat Turner.

2 We ask that you help us to be able to get
3 this right, to help the city forge a future in which all
4 the dignity and humanity of all the citizens are
5 recognized and help us to redeem our history. Thank
6 you.

7 CHAIRWOMAN SEALE: Mr. Britt, did you fill
8 out a form?

9 MR. BRITT: No.

10 CHAIRWOMAN SEALE: Okay. Just leave us one
11 before you leave. Thank you.

12 MR. SEBESTA: Ed Sebesta, 1502 Severs. The
13 discussion of the Confederate War Memorial has been
14 mostly on the Confederacy and the Lost Cause, but the
15 history of the monument itself has not been reviewed or
16 considered critically.

17 I've handed out a report on the monument. I
18 am a published author with the University of Texas Press
19 and the University Press of Mississippi. I want to make
20 sure when this commission makes a decision that they're
21 fully informed and later they can't say that didn't
22 know. Thank you.

23 CHAIRWOMAN SEALE: Thank you. Any other
24 speakers in favor of the city's request for removal?
25 Okay. At this time we're going to hear from speakers in

1 opposition to the request.

2 I just want to recognize Ms. Reeves as a
3 former chairman of the Landmark Commission who has sat
4 in our position for many years.

5 MS. REEVES: My name is Allison Reeves, my
6 address is 5927 Bonner, Dallas 75230.

7 I was the chair of the Landmark Commission
8 when the Pioneer Cemetery was designated. I want to
9 make it very clear that the person that led this
10 designation was Frances James.

11 We left one of our landmark meetings at her
12 insistence, walked over to the removal of the sidewalk
13 by the Convention Center and to our surprise we saw 15
14 graves.

15 And I don't know if you know what it's like,
16 they peel a sidewalk back and you can see where those
17 graves are. And my concern is that whatever is going to
18 happen that proper care won't be done to the area that
19 we worked so diligently to get nominated.

20 There are any number of ways of damaging
21 graves. They used to park on those graves.

22 CHAIRWOMAN SEALE: Thank you.

23 MR. McNOWLAND: My name is Steven McNowland,
24 I'm a Texan living in California, Post Office Box 445,
25 Nevada City, California. When I became aware of this

1 situation, I knew there was only one thing that I could
2 do even though my wife and I are living on pretty
3 limited incomes. I knew I had to buy a ticket here.

4 I went down to Sacramento, got on that plane
5 and came here to speak against the removal or the
6 molestation, not to mention the destruction of this
7 particular monument.

8 Obviously I feel very strongly about that.
9 Whatever you think about the monument in today's
10 context, it is truly a historical item of significance.
11 As has been pointed out, it was a huge deal when this
12 happened here. It fully warrants your protection.

13 If you destroy it, people of future
14 generations will wonder what were you thinking? Why
15 would you spend, what, I've heard a half-million dollars
16 to remove this statue. I guess that's all I've got to
17 say. Thank you very much.

18 MS. HAYNES: I'm Carol Haynes. Pioneer
19 Cemetery was designated a Dallas landmark in 2002 with a
20 period of significance from 1849 to 1921. Although the
21 Confederate monument was moved to the cemetery in 1961,
22 it was erected in 1896, well within the period of
23 significance.

24 Section 4.1 of the ordinance states that
25 existing grave markers, monuments, and tombs are

1 protected. Since the existing ordinance was passed in
2 2002, the Confederate monument would be a protected
3 feature because it was already in the cemetery.

4 The boundary of the cemetery is specifically
5 drawn to take in the Confederate monument at the lower
6 corner of the district and could have easily been left
7 out if the monument was not considered significant to
8 the cemetery or was out of the period of significance.

9 Nowhere in the landmark designation form or
10 ordinances or listing or reference to a non-contributing
11 or out of the period of significance. Allowing a
12 protected element in a historic district to be
13 classified as non-contributing when it clearly is not
14 set is a highly dangerous precedent for the future of
15 landmark districts in Dallas.

16 What historical monuments and name changes
17 would be next? Thank you.

18 MS. BROWN: Hi, my name is Tammy Brown
19 Rodriguez, 1022 Forest Grove Drive. I am adamantly
20 opposed to the removal of this monument, the destruction
21 and the removal of the monument that represented men who
22 were part of protecting Texas from the northerners
23 coming into Texas.

24 Some of these men and their families have
25 lived here. You have descendents. You are

1 discriminating against a segment of history and in that
2 discrimination, which you are mandated not to do, unlike
3 those other monuments that are represented in that same
4 cemetery that you're not taking a look at.

5 And I also want to make clear that there is
6 a House Bill right now, HB262 that is an active
7 legislation to protect every monument to remind us of
8 our history.

9 And that is in the House right now at the
10 Senate and we need to wait. I urge you to wait on this
11 decision until our legislators of Texas make that
12 decision. Because if you don't, this will be an illegal
13 activity. Thank you.

14 MS. EDWARDS: Hi, I'm Judy Edwards, 2308 St.
15 Frances, Dallas. And I'm going to urge you not, please
16 don't, this is our heritage and I'm from Wisconsin. But
17 my family has fought for this nation. These people have
18 fought for this nation. We need to remember this.
19 Thank you.

20 MS. MEDRANO: Hi, good afternoon, my name is
21 Rosa Medrano, 1129 Betterton Circle, Dallas, Texas
22 75203. I'm just against any demolition against history
23 and I would like to give my minute to Larry Johnson.

24 KIMBERLY: Good afternoon, my name is
25 Kimberly and I would also like to yield my time to

1 Mr. Larry Johnson.

2 MR. JOHNSON: My name is Larry Johnson, 214
3 Landis. As a city we have become too comfortable with
4 erasing history in our Dallas landmark districts. Most
5 of the bleeding has been in our African-American
6 districts, Tenth Street and Whitley Place.

7 Today Dallas at large is feeling what we
8 have felt for decades. What Dallas must now learn, we
9 know from experience. We are the residents of the Tenth
10 Street Freedman's Town. Today you-all have the luxury
11 of arguing over symbols of racism. We're fighting
12 racism itself.

13 Discussion item No. 11 on today's agenda is
14 yet another demolition in Tenth Street. Dallas City
15 Code as currently amended allows the City of Dallas to
16 demolish a residential structure of 3,000 square feet or
17 less pursuant to a court order even if it is a protected
18 landmark.

19 All of the residences built by freedmen in
20 our neighborhood are under 3,000 square feet. That is
21 what systematic racism looks like in 2019. We know how
22 it feels when the city makes a new rule or resolution to
23 take away your historic protection.

24 To those who want to take these monuments
25 down, we understand that the monuments are a source of

1 hurt and embarrassment to many. To those who want to
2 keep these monuments up in remembrance of ancestors we
3 also understand that's why we fight for Tenth Street.

4 To both parties we believe we have a
5 solution. We in Tenth Street have the only landmark
6 cemetery in Dallas that is older than this one. In
7 addition to the graves of freedmen our burial ground
8 holds the unmarked graves of slaves. Both cemeteries
9 contain graves that are lost and unknown.

10 We owe these souls a debt of reconciliation
11 and remembrance. To that purpose, we propose a garden
12 of remembrance and reconciliation. It is to be one
13 garden in spirit created in two kindred locations. Each
14 of the two parts respond to the unique character of its
15 place.

16 Before we can create a symbol of
17 reconciliation of the ground, we must undertake a
18 genuine reconciliation of the heart. We can only
19 accomplish this by getting to know one another. We can
20 create a welcoming shared space. There we can bring two
21 parts of historical conversation together to speak one
22 truth.

23 CHAIRWOMAN SEALE: Thank you.

24 MS. FRANKLIN: Hello, I'm Debra P. Franklin
25 and my business is Dr. Graveyard, Franklin Graveyard

1 Preservation.

2 And several Dallas citizens got in touch
3 with me concerning this because they were worried about
4 the possible desecration of any graves that may be or
5 may not be underneath the Confederate monument.

6 And as you already know through the years in
7 1970 and 1999, even back in the 1950s, the four
8 cemeteries have dwindled down because of use of property
9 for the auditorium and the Convention Center here in
10 Dallas.

11 And it seems like anytime that Dallas has
12 encroached onto the Pioneer Cemetery which made up four
13 cemeteries, there continue to be bodies that were found.

14 What I've read is that the Confederate
15 monument was moved in order they were going to remove
16 the graves from South Dallas, the Confederates to be
17 moved, so it was supposed to be an object for a
18 cemetery. I guess that's all.

19 CHAIRWOMAN SEALE: Thank you.

20 UNKNOWN SPEAKER: Thank you-all for the
21 opportunity. I notice now that instead of a certificate
22 of demolition, they're calling it a certificate of
23 removal. I find that very strange.

24 On your three-pronged matter --

25 CHAIRWOMAN SEALE: I'm sorry, could you

1 state your name. We didn't get it.

2 MR. RANGE: I'm sorry, Rick Range.

3 CHAIRWOMAN SEALE: And your address?

4 MR. RANGE: 702 Briar Wood Drive, Garland,
5 Texas. My family has lived here since 1890.

6 Anyway, that's a strange wording change
7 there. I find that interesting. On your three prongs,
8 I would like to say real briefly, No. 1, as far as it
9 being non-contributing, the Civil War memorial was a
10 Confederate war memorial.

11 It was moved to a location that contained
12 chock-full of Confederate graves. It was in honor of
13 them so it is contributing to that site.

14 No. 2, the notion about something no longer
15 being historically significant since the last body was
16 buried, where is that written? That is ludicrous on its
17 face. Pioneer Cemetery is historic and it's still
18 historic so that doesn't hold water.

19 And your third thing about detracting from
20 the site, yes, it would detract from the site, those are
21 the oldest sculptures of the City of Dallas, they're
22 beautiful. It would definitely detract.

23 And lastly, I'll just say this will be a
24 total violation of the ordinance protecting the landmark
25 that you-all are sworn to defend. And it's very clear.

1 It says existing grave markers, monuments, and tombs are
2 protected and that thing was existing since 1962. It's
3 been there --

4 CHAIRWOMAN SEALE: Sir, you're over your
5 time, sir. Sir, thank you.

6 MR. RANGE: Vote to defeat.

7 MR. SIMMONS: Landon Simmons, 6913 North
8 River Crossing, China Spring, Texas. I'm for Texas,
9 currently serving on active duty in the U.S. Marines. I
10 have Confederate ancestors by the names of George and
11 Jefferson Simmons. They, too, are veterans. This
12 veterans monument was erected in 1896. In 2002 it was
13 given historical landmark status.

14 Other solutions to vandalism are
15 wrought-iron fencing around structures and especially
16 cemeteries. Another solution is invisible wax coatings
17 which can be applied to most any exterior surface such
18 as stone materials.

19 A hot water pressure washer can easily wash
20 off any sprayed graffiti. Last is the use of cameras.

21 Please recognize the 2002 ordinance that
22 clearly defines this veterans monument being within the
23 boundaries of the Pioneer Park Cemetery. Please carry
24 out your duties and responsibilities, Landmark
25 Commissioners, by recognizing and promoting this well

1 established 1896 veterans monument which falls within
2 the period of significance.

3 Please do not vote to approve the permit of
4 demolition regardless of your personal opinion regarding
5 this monument. I pray to God that one day when I'm old
6 or gone that there may be a Landmark Commission with
7 enough integrity and grit that helps protect Iraq and
8 Afghanistan veterans memorials keeping them protected
9 from the hatred and the ignorance. Please protect this
10 historical landmark, this veterans memorial. Thank you
11 for your time.

12 CHAIRWOMAN SEALE: Thank you.

13 MS. MARSHALL: Hi, my name is Connie
14 Marshall and I just want to say, my son is active right
15 now in the U.S. Army in the infantry. And he is serving
16 and protecting every one of you in here.

17 I have a question for you. If they did a
18 monument for his group of men 50 years from now, are
19 you-all going to take that down because you decide you
20 don't like them right now? I just have to know that.

21 And I want you to know there's a World War I
22 monument that was vandalized and trying to be taken
23 down, World War II, this has nothing to do with the
24 Confederacy.

25 They are taking down monuments everywhere.

1 And I have to read this and really think this really
2 pertains to the time we're living in right now.

3 Every record has been destroyed or
4 falsified, every book rewritten, every picture has been
5 repainted, every statue and street building has been
6 renamed.

7 Every date has been altered and the process
8 is continuing day by day and minute by minute. History
9 has stopped. Nothing exists except an endless presence
10 in which the party is always right, George Orwell, 1984.
11 And if we're not living in that right now, I don't know
12 what we're living in.

13 MR. JOHNSON: Hello, Warren Johnson, 3883
14 Turtle Creek Boulevard here in Dallas. Right now
15 historic preservation is all but dead in Dallas. The
16 removal of that fine work of art by renowned sculptor
17 from Lee Park inflicted a serious wound.

18 Removal from the memorial from Pioneer
19 Cemetery will serve the coup de gras to preservation.
20 Historic preservation is now subject to the
21 ever-changing political whims. The very reason this
22 commission was created, to resist that.

23 If you remove this memorial you will weaken
24 this commission. Put all these old Confederate
25 monuments and museums and cemeteries was a rallying cry

1 for the political Taliban, the cultural Taliban. This
2 one is in a cemetery and now it's being targeted for
3 destruction because of politics and fake emergencies.

4 No one can force the city to open a library
5 or a park. But when a city pulls a book or removes a
6 statue already there because the message -- because of a
7 message they gave it, that's a First Amendment issue.

8 Free speech is impacted. Criminal penalties
9 come into play for those responsible for it. Save the
10 city council from this. Save historic preservation in
11 Dallas. Deny the city's request. Thank you.

12 MS. PERONI: Good afternoon, my name is
13 Karen Peroni, 2927 Renaissance Circle in Dallas. I'm
14 speaking as a Dallas city resident of over 30 years and
15 speaking as a private citizen and a registered voter.

16 I'm a descendent of over 40 Confederate
17 soldiers and I also happen to be a member of Dallas 6,
18 that's our monument. I'm begging you not to take it
19 down and read the letter that Dallas Preservation sent
20 you yesterday.

21 It says everything it needs to say and it
22 rebuts everything the city is trying to tell you. So
23 please read their letter from March 3rd. Thank you.

24 MR. PRESIOSI: David Presiosi with
25 Preservation Dallas, 2922 Swiss Avenue. The certificate

1 of demolition request runs counter to the clear language
2 and intent of the Pioneer Cemetery District ordinance
3 and to the city's historic preservation ordinance.

4 The request to reclassify a specifically
5 protected feature of a historic district is as
6 non-contributing when the plain text of the ordinance
7 states that the monument is a protected feature violates
8 important procedural safeguards and endangers landmark
9 districts throughout Dallas.

10 It is our hope that the city would pursue
11 opportunities to further understanding and awareness of
12 the full history and surrounding Dallas's connection to
13 the Civil War and the struggle for civil rights.

14 Whether through efforts to recontextualize
15 the Confederate monument or other meaningful and
16 substantive solutions, we must acknowledge that Dallas
17 has long struggled to be a city for all.

18 Preservation Dallas fully supports greater
19 reflection, education, and opportunities for research on
20 the city's history of racism and segregation and
21 ultimately healing. Thank you.

22 MS. HAMPTON: Members of the commission, my
23 name is Joanna Hampton, 5408 Swiss Avenue. We're all
24 here today because we care about our city and hopefully
25 making our city a better place for all. That is

1 critical.

2 I fully support the comments made by
3 Mr. Johnson and others who are highlighting potential
4 issues with this interpretation of the ordinance that is
5 before you today.

6 I also, similar to Mr. Presiosi, urge the
7 city to pursue opportunities that tell the full history
8 of the city's long connection with the Civil War and the
9 struggle for civil rights.

10 These efforts must be meaningful and
11 substantive solutions, provide for research and
12 reflection, and complete the history that today is only
13 partially told. Thank you for your consideration.

14 MR. HENDRICKS: Good afternoon, my name is
15 David Hendricks and I'm a Dallas native, I'm also a
16 Dallas history buff.

17 One reason is my great, great grandmother is
18 buried in Pioneer Park Cemetery very close to the
19 Confederate Memorial and I don't want anything to happen
20 to her headstone.

21 This monument honors the men who fought to
22 protect their homes and families during the Civil War
23 and many in Pioneer Park Cemetery are veterans from that
24 era. It is clearly within the period of significance
25 for the park. 1896 is well within that date of death of

1 many in the cemetery.

2 If some sort of signage needs to be added
3 for people to view and read that presents a different
4 perspective of the time period, so be it, please do it.
5 I offer additional information about history so people
6 may learn, discuss, or interpret. Just please don't
7 destroy our history in Dallas. Thank you very much.

8 MR. HENDERSON: My name is James Henderson,
9 I live at 10118 Maple Ridge Drive in Dallas. I've lived
10 here since 1964. I'm also vice president and board of
11 director of the Dallas County Farm Bureau.

12 The Texas Farm Bureau has a half-million
13 members in the state of Texas and at the annual
14 convention in Corpus Christi in December, they
15 unanimously voted to -- they voted to protect all the
16 war memorials and landmarks in the state of Texas.

17 So removing this landmark will go against
18 wishes of a great number of Texans. And also, you know,
19 the legislature is having a hearing this afternoon on
20 eminent domain. And the statue was put up in 1896 and
21 it was moved because the freeway had to be built.

22 So there was no choice but to move the
23 monument in 1961 to its current location. So it clearly
24 fits in the landmark rules for preservation. Thank you
25 for your time.

1 MR. MOORE: Thank you. My name is Gary
2 Moore. My wife and I are Vietnam vets who no longer
3 reside in the City of Dallas. We live in Lewisville
4 now. But we came to tell you that the world is
5 watching. The world is seeing everything that the city
6 council does.

7 The world is watching everything that this
8 Landmark Commission does. It is being spread throughout
9 the Web and it will be visible to everyone. Anything
10 that you do to destroy this monument, anything that you
11 have done to continue to keep this going simply means
12 that you're boldly saying and standing in the face of
13 history and saying this history was simply not good
14 enough for me.

15 This history was too nasty. It was too
16 ugly. We want to get rid of it. You did it when you
17 let the city rip out the Robert E. Lee statue and now
18 this is going again. I vote against it. I hope you
19 will vote against it. I hope you will stand tall.
20 Thank you.

21 MR. CARTER: My name is Chris Carter, I live
22 at 9523 Hige Drive here in Dallas. I have attended
23 every city council meeting regarding the Confederate
24 monuments as well as the mayor's task force.

25 In every meeting the public speakers have

1 been five to one against the removal of our Confederate
2 monuments. In the city council, this is not an issue of
3 history, it is not an issue of morality.

4 This is a bunch of young cravenly ambitious
5 city councilmen using these monuments as a political
6 football to further their own political career.

7 They are now attempting to co-op the
8 Landmark Commission, a deliberative, non-political body,
9 to rubber stamp this monument removal so as to
10 circumvent the wishes of the people of Dallas.

11 We have said many times, put this issue to a
12 public referendum and let the people of Dallas decide.
13 You cannot allow the Landmark Commission to be used as a
14 political tool. This is not what it was established
15 for.

16 You must go back to the city council with a
17 firm no. You must say that the Confederate monument is
18 not only a contributing structure, but a relevant
19 integral part of Pioneer Cemetery.

20 The monument is a memorial to the people
21 that settled Dallas most of whom were political -- were
22 Confederate Army veterans. Thank you.

23 MS. CRENSHAW: Sandra Crenshaw, a descendent
24 of Africans who have lived in Texas under all six flags
25 and never were enslaved, but fought in all the wars on

1 this soil.

2 I hope that there are those among you who
3 have families whose blood is soaked in these soils,
4 whose tears and toil built this state and whose dry
5 bones are scattered across the South in unmarked graves
6 in her defense.

7 If not, know that Texas was geographically
8 disconnected from the Union and the only CSA to allow
9 citizens to vote who did so only to keep war from being
10 fought on these soils.

11 Next to the historic overlay is the Memorial
12 Auditorium that is dedicated to all Texans who gave
13 their lives. And to remove those who fought because of
14 events that occurred after their death would be
15 discriminatory and not in line with scripture.

16 CHAIRWOMAN SEALE: Thank you.

17 MR. BALGIO: My name is Sirrano Keith
18 Balgio, I'm a Tenth District councilman running for the
19 next election.

20 The proclamation for Memorial Day is that
21 you must honor the soldiers from the North and the
22 South. So why is this not a federal issue? I have no
23 idea. All of you and most of you know this is a
24 political ploy.

25 It is done by councilmembers because they

1 want the right to get bragging rights but has done
2 nothing but defy this community. And you passed the
3 date, you passed the date for the submission.

4 As a councilman, this is supposed to come to
5 me so I can bring you guys in the chamber, we can have a
6 discussion about this. And the three things that you
7 have, it's just excuses.

8 Because Commissioner Williams
9 (indiscernible) and we established this was done for
10 emotional reasons. This was not done for any landmark.
11 They sent this to you because the city council is
12 corrupted. They're trying to corrupt you.

13 So I'm asking you to table this so when the
14 new council comes in we can have an actual discussion.
15 Look at what you're doing. They want you to do this to
16 this community. Don't do it. Table this and let's come
17 back. It's past the date and have the new
18 councilmembers deal with it.

19 You can get this on Sirrano 2019,
20 S-I-R-R-A-N-O, 2019, and I leave the rest of my
21 comments. But this is political, it's not landmark.

22 CHAIRWOMAN SEALE: Are there any other
23 speakers that would like to speak in opposition? All
24 right. Everybody, I know that at least one of you would
25 like to ask a question of one of our speakers.

1 Commissioner Montgomery.

2 COMMISSIONER MONTGOMERY: Yes. I would like
3 to ask a question of the first lady who spoke in
4 opposition, I'm sorry, I didn't get her name, but who
5 was on this commission at the time that this ordinance
6 was passed.

7 MS. REEVES: Oh, woe is me, I was the
8 chairman.

9 COMMISSIONER MONTGOMERY: I'm very pleased
10 for your service. You can take my place today, but I
11 shall sit up here and do my job.

12 MS. REEVES: My name is Allison Reeves.

13 COMMISSIONER MONTGOMERY: Allison Reeves,
14 nice to meet you, I'm Evelyn Montgomery. I want to
15 address the third issue by which we're to pass our
16 judgment, which is whether or not the removal or the
17 leaving it there is detrimental to this overlay
18 district.

19 I read through the documentation for the
20 overlay district, including the historical support for
21 why it was an important place to have landmarked. I've
22 been on the committee that does that, the designation
23 committee for several years so I've read a few of these.

24 There was one paragraph about this memorial
25 and it told a bit of its history. It did not give me a

1 strong impression as to whether or not this memorial is
2 very important to this district or were saying this
3 memorial is sort of incidental to this district.

4 It did not tell me anything, whether it was
5 originally viewed as an inherent or important part or
6 not an important part. Do you have any memories that
7 would help me understand better what the intent was?

8 MS. REEVES: When we set up the chairs for
9 the dedication, we set them up in front of the memorial.
10 We didn't discuss it at the landmark level as a
11 Confederate memorial as it clearly says on it that it's
12 Confederate.

13 We considered it as more of a symbol of the
14 families who had given the money to have it built whose
15 families, their husbands, their fathers, their sons,
16 brothers had died and that was a memorial like a
17 tombstone to them. And that's how we felt about it at
18 the time.

19 COMMISSIONER MONTGOMERY: Did anyone on the
20 commission have, and I realize it was a long time ago
21 when people did talk about things differently, but they
22 had no suggestion that it was not appropriate to move it
23 into the -- to keep it in the cemetery, maybe there was
24 a reason why some day it needed to go?

25 MS. REEVES: Not at all.

1 COMMISSIONER MONTGOMERY: Since it could
2 actually detract from my bothering to read the
3 tombstones and learn about actual --

4 MS. REEVES: At that particular time, we
5 were so incensed that the city -- we had just gotten
6 through Freedman's and walk out of this room and walk
7 over there and see that the city had just paved over and
8 not given a thought to our ancestors' hallowed ground.
9 We were incensed.

10 COMMISSIONER MONTGOMERY: Thank you. I knew
11 that you might not have discussed what I wanted to hear
12 but I wanted to know. Thank you.

13 CHAIRWOMAN SEALE: Commissioner Swann.

14 COMMISSIONER SWANN: Yes, Madam Chair, I
15 don't have a question but as such time as you're ready
16 to entertain a motion, I have a motion.

17 CHAIRWOMAN SEALE: Oh, thank you. Any other
18 questions for our speakers? I have one. I'm sorry to
19 call you back up, Ms. Reeves.

20 I actually went back this weekend and read
21 all of our nominations for all of our historic
22 cemeteries because they are different.

23 One big difference is we were asked to --
24 the city's application is for non-contributing. And we
25 don't use that word in cemeteries. None of the

1 cemeteries call out contributing or non-contributing.

2 MS. REEVES: That's correct.

3 CHAIRWOMAN SEALE: Can you tell us why the
4 word "non-contributing" does not exist in our cemetery,
5 in all four of our cemetery landmark districts?

6 MS. REEVES: It's a cemetery. Everything in
7 the cemetery contributes to it.

8 CHAIRWOMAN SEALE: Thank you. And then
9 another thing I guess I noticed in it is they have this
10 issue about the disturbing the ground. And it seems as
11 though all of our cemeteries' preservation criteria on
12 cemeteries talk about desecration of graves and the
13 disturbance of the ground.

14 And this ordinance does the same thing. I
15 would like to ask you, I am making that connection that
16 that is the -- the disturbance of graves would have an
17 adverse effect on a historic district.

18 And you alluded to something that I wasn't
19 aware of. I'm very familiar with when -- with the
20 Freedman's cemetery and how the city, as best we knew,
21 there was 35 documented graves and then we ended up
22 reintering something like 1,800 graves. And it's
23 estimated that there were some 3,000 bodies.

24 MS. REEVES: That's correct.

25 CHAIRWOMAN SEALE: So what that means is not

1 only in that cemetery but in all of our cemeteries where
2 we've done work we have found graves where we did not
3 think there were graves.

4 MS. REEVES: Absolutely. That's why we were
5 so shocked when we walked out of here and we found 15
6 graves. And there was a re-interment and at Memorial
7 Auditorium there is a plaque to those graves.

8 My concern about removing anything in a
9 graveyard, especially that size, is that other markers,
10 unmarked graves, there's so much to damage. The unseen
11 can easily be damaged, especially because it's unseen.

12 And I can't tell you how passionate we were
13 almost 20 years ago and I wish I could bring those
14 people back to share their passion with you.

15 CHAIRWOMAN SEALE: So what do you say about
16 City's argument that, look, we chose this location
17 because there were no graves there. We didn't have any
18 burials past 1940. Their argument is that they can
19 remove this. There will be obviously disturbance of the
20 soil.

21 But their argument is that it's not going to
22 have an adverse effect on the entire historic strict
23 because there are no graves there. The burials stopped
24 in 1940. This was put in in 1961. And so that's their
25 presupposition for adverse impact.

1 MS. REEVES: Well, I just don't believe
2 that's true. I believe that it was just lawn where they
3 pulled up the concrete for the sidewalk.

4 CHAIRWOMAN SEALE: Is this where they pulled
5 up this concrete sidewalk that you're talking about, is
6 this near the Civil War or the Confederate Memorial?

7 MS. REEVES: It is probably less than the
8 distance I am from you and then a little bit more and
9 there were no tombstones obvious until the sidewalk was
10 brought up.

11 When they laid the sidewalk, they saw the
12 tombs, the graves. And that's very disappointing that
13 the city would go ahead with that, that it was another
14 time.

15 CHAIRWOMAN SEALE: Okay. Thank you.
16 Commissioner Strickland.

17 COMMISSIONER STRICKLAND: I'm sorry you sat
18 down. I was going to ask you a question and if you
19 could stay for just a moment I believe we have another
20 commissioner who has a question for you.

21 MS. REEVES: Is that just because I'm old
22 and you found the typo?

23 COMMISSIONER STRICKLAND: My question was,
24 this memorial to the Confederates was moved to Pioneer
25 Park in 1961 so four decades after the last burial.

1 MS. REEVES: When I was in elementary
2 school.

3 COMMISSIONER STRICKLAND: Do you, the time
4 when you were designating this park, the cemetery, was
5 there evidence that in 1961 when it was moved that any
6 graves in that area were disturbed and why it was
7 selected to be put in this corner?

8 MS. REEVES: That would be a question not
9 for me but for Frances James.

10 COMMISSIONER STRICKLAND: You didn't have at
11 that time, you don't have any recollection of any
12 disturbance of any graves in that area when they erected
13 the monument to the Confederacy in that corner?

14 MS. REEVES: It would have been something
15 that we would have depended on Frances knowing as the
16 cemetery lady on the commission.

17 CHAIRWOMAN SEALE: Oh, I'm sorry, if you're
18 going to speak, you have to be called by a commissioner.
19 So Commissioner Strickland.

20 COMMISSIONER STRICKLAND: Could I call that
21 and repeat the question?

22 CHAIRWOMAN SEALE: Yeah.

23 MS. JAMES: What happened in 1970, let me
24 get my bearings here.

25 COMMISSIONER STRICKLAND: 1961 I believe is

1 when I was asking.

2 MS. JAMES: Well, but in '61 when the
3 monument was moved, it was moved because, yes, the
4 highway, but also they wanted to move the graves from
5 the South Dallas Confederate cemetery.

6 But in 1970 they were planning on adding
7 on --

8 COMMISSIONER STRICKLAND: Let me pause one
9 second. In 1961 when the monument to the Confederacy
10 was moved to Pioneer Park, do you know of evidence of
11 any graves being disturbed in that corner?

12 UNKNOWN SPEAKER: Yes. And as a matter of
13 fact I sent a letter, maps, and overlays to Mr. Doty to
14 show that the pictures I had as well as the overlay of
15 the map, the map from the 1950s when they were first
16 wanting to build the auditorium, the Memorial
17 Auditorium.

18 They were trying to get land. And one of
19 them was the two tracts of the Jewish, the benevolent --
20 Hebrew Benevolent Association. And what they did, Judge
21 Sarah T. Hughes, she removed the dedication. Then
22 Dallas bought the property. Then Temple Emanuel, they
23 moved the bodies to Temple Emanuel on Howard Street.

24 Then they used those two tracts for the
25 memorial, but they also used part of the old city

1 cemetery. And when you look at the Confederate
2 monument, it is on the top part of the Odd Fellow
3 cemetery as well as part of the Old City Cemetery.

4 But in 1970 they were wanting to add on for
5 the Convention Center. So what they did, they -- I'm
6 sorry, you-all, I'm not use to talking in front of
7 people, it's usually in the cemetery.

8 The city manager at that time said that the
9 Masonic and Odd Fellows cemetery basically would be
10 fine. But because the Old City -- and this was quoted
11 in the Dallas Morning News newspaper article -- the
12 city, the Old City Cemetery, it just had a few scattered
13 graves, so there really wasn't anything there.

14 I think what he meant was that they were
15 probably the only marked graves. Because they were
16 mostly indigent people. They also had a big -- they
17 were about to have a lawsuit because there were citizens
18 of Dallas that also owned deeds to be buried in the Old
19 City Cemetery.

20 But because I guess they needed the land so
21 badly, the city -- the mayor at the time said we will
22 move the bodies, the dedication will be removed. I
23 can't find any evidence of it. Neither has Frances
24 James.

25 And we're still looking to see if there's

1 any evidence of that.

2 COMMISSIONER STRICKLAND: So let me just
3 clarify what you said. So there was evidence of them
4 disturbing graves when they chose to place this monument
5 into Pioneer Park at that time.

6 So at this point we have addressed that
7 issue in terms of that corner of any graves that were
8 disturbed.

9 UNKNOWN SPEAKER: Yeah. Apparently what
10 happened is that they saw empty land with a few markers.
11 But I did find an article from 1961, I haven't sent it
12 to Mr. Doty as yet. But it has a picture of when they
13 first moved the monument over to have it assembled.

14 And what they were doing, they were using
15 the curbing, which that is what outlines a grave a lot
16 of times so they used granite or marble, marble is what
17 they used or concrete.

18 They had set the statues onto curbing of
19 each grave. One was a Louisa Beaugious and her husband
20 Luke. So I came out yesterday and took pictures. They
21 look like they've been moved. Vandalism started in the
22 cemetery in 1891.

23 So they had a beautiful pedestal type of
24 marker that had a ball and cap on the top, the finial.
25 But now it's just little bitty because I'm sure it was

1 you-all need to do is get an archaeologist or a
2 (indiscernible) or a company like that.

3 COMMISSIONER STRICKLAND: Thank you.

4 CHAIRWOMAN SEALE: Commissioner Spellicy.

5 COMMISSIONER SPELLICY: I have a question
6 for the applicant that is directly in alignment with
7 some of these questions. If I ask the applicant a
8 question, however, does that close out the hearing?

9 CHAIRWOMAN SEALE: No. You can ask a
10 question of the applicant.

11 COMMISSIONER SPELLICY: If possible, then,
12 I'd like to ask Ms. Scrips. I found some of the answers
13 or the discussion around whether or not it would
14 adversely affect the integrity of the historic overlay
15 district.

16 And a cemetery, once you disturb the ground,
17 if in doing so you come upon some of the coffins,
18 unknown tombstones, things like that, which is not
19 something I had considered previously in regards to the
20 integrity of the district, I'm wondering what your
21 response is or what your plan is if there is -- if this
22 is approved, you move forward, the point at which you
23 perhaps come upon something like this that happens,
24 which could potentially then affect the integrity of the
25 district, what is the plan?

1 MS. SCRIPS: Let me be clear. We are very
2 interested in removing this piece and not disturbing any
3 known or unknown burial sites. Everything we've seen
4 leads us to believe that it could be done and removed
5 without.

6 If we were to unexpectedly come across
7 unmarked graves, we would obviously call in the experts
8 that would immediately halt the process and we would
9 follow best practices for how to deal with those if and
10 when that occurred.

11 Again, I have full expectation that the
12 teams that we would hire, the conservators for the
13 piece, the experts for that site would do the work with
14 the full intention not to have that occur.

15 COMMISSIONER SPELLICY: So you said that
16 you've seen information that leads you to believe it's
17 possible to achieve this without?

18 MS. SCRIPS: Having walked people through
19 the site ever since we started this in September of 2017
20 and then when we had estimators out there for how the
21 work would occur, we are looking at plans from 2002 when
22 the overlay district was found with what we're seeing.

23 I think we're dealing with hearsay and worst
24 case questions. And of course I can't -- that's
25 speculation.

1 COMMISSIONER SPELLICY: Have you discussed a
2 desire to do anything like -- I don't know that the soil
3 would be amenable to ground penetrating radar or
4 anything along those lines.

5 MS. SCRIPS: We have not. Again, we've
6 spent most of our time talking about how you get a large
7 crane to come from the top and build something over the
8 surrounding surface to do as little impact on the
9 surrounding area as possible. We're not coming at it
10 from the side and going up.

11 CHAIRWOMAN SEALE: Commissioner Amonett.

12 COMMISSIONER AMONETT: I have a question for
13 you also. It looks to me to be four statues sitting on
14 top of a concrete pad. The concrete pad isn't historic,
15 is it? That was the foundation that was built at the
16 time --

17 MS. SCRIPS: I'm going to ask my public art
18 manager that question. The foundation was from 1961,
19 you are correct.

20 COMMISSIONER AMONETT: So there's no need to
21 even dig. They would just remove those off the concrete
22 pad and the concrete pad could remain, correct?

23 MS. SCRIPS: Yeah.

24 COMMISSIONER AMONETT: And then I just have
25 one question for staff. Do you know of an instance

1 where we've moved an old house to an existing historic
2 district and that old house has become contributing all
3 of a sudden because it was moved into a historic
4 district? Do you know what I'm trying to say?

5 UNKNOWN SPEAKER: I do but I do not have
6 knowledge of such a case.

7 COMMISSIONER AMONETT: Do they automatically
8 become contributing just because they were moved into a
9 historic district?

10 UNKNOWN SPEAKER: Generally, no. Generally,
11 we also follow best practices from the National Park
12 Service that says once you remove a historic resource
13 from its original context, it's lost some of its value
14 so it may be non-contributing even in a new district.

15 COMMISSIONER AMONETT: Because of its
16 context.

17 UNKNOWN SPEAKER: Right.

18 COMMISSIONER AMONETT: Thank you.

19 CHAIRWOMAN SEALE: Commissioner Flabiano.

20 COMMISSIONER FLABIANO: Yes. And I guess
21 for the, a question for the applicant and then also
22 staff.

23 I know in Tenth Street to salvage some of
24 the remaining homes in that area we actually are looking
25 at allowing those to be moved within a site within the

1 district. And even though those haven't been moved yet,
2 I believe we're allowing that so they would remain
3 contributing.

4 At that, we're doing that over the
5 homeowners who actually own the land who actually want
6 to tear those down. So the commission has a long
7 history of trying to salvage neighborhoods and salvage
8 history within the City of Dallas. And I think we have
9 a good proven record of that.

10 So the question for the applicant is this
11 piece was clearly built within the period of
12 significance. It was only moved because of the freeway.
13 And now it's in an historic district.

14 Is that just splitting hairs or definitions
15 that it was designed and built and just located
16 someplace in the city and now it's in a historic
17 district that it shouldn't be protected, similar to what
18 the houses in Tenth Street that we're trying to as well
19 as preserve that history?

20 MS. SCRIPS: Well, I feel like the rest of
21 the cemetery are cemetery markers and this was a piece
22 built for a completely different purpose. So there's
23 also a difference there that's kind of getting glossed
24 over because it's not a grave site or a burial marker.

25 It's a different piece all together that's

1 part of the city's public art collection that was moved
2 there, so 40 years after they quit interring bodies
3 there. So I do see some bigger difference. I don't see
4 this splitting hairs.

5 COMMISSIONER FLABIANO: Okay. Just wanted a
6 clarification. Thank you.

7 CHAIRWOMAN SEALE: I have a question for
8 staff. And it gets back to this non-contributing
9 notion, being moved after the period of significance.
10 So I'm very familiar with the National Park Service
11 guidelines that talks about relocating structures.

12 There's a current debate right now, in fact,
13 there's a proposal within the guidelines to reconsider
14 the general prohibition of relocating structures. And I
15 wondered if the staff was familiar with that debate and
16 what you-all thought about that current conversation
17 that's happening.

18 UNKNOWN SPEAKER: We're only a little bit
19 aware and haven't really jumped into that conversation.
20 Though to that point that Commissioner Flabiano brought
21 up a good point that when you have a historic district
22 like Tenth, it has a number of contributing structures
23 that are moved within the district in order to save
24 them. They're still within the context of the
25 neighborhood.

1 And then you have a situation like this one
2 that parallels that a little bit, the difference being
3 this is not being moved. This monument is not being
4 moved from within its own district. It came from a site
5 that was different from the cemetery.

6 I would think that conversation is an
7 important one to have because you do not want to call
8 buildings non-contributing when you had to adjust their
9 location to save them.

10 CHAIRWOMAN SEALE: So the Meadows, the
11 Wilson District we call it, I think more than half of
12 the buildings were moved in. Are those contributing or
13 are those non-contributing?

14 UNKNOWN SPEAKER: Those are contributing.

15 CHAIRWOMAN SEALE: And in Peak Suburban
16 Historic District I know we moved half a dozen houses.
17 Are those contributing or are those non-contributing?

18 UNKNOWN SPEAKER: Without looking at
19 specific.

20 CHAIRWOMAN SEALE: Is Mr. Anderson's house
21 contributing?

22 UNKNOWN SPEAKER: I'm not sure.

23 CHAIRWOMAN SEALE: I just want to clarify
24 for the record that there's at least four historic
25 districts where we've moved properties in and they are

1 considered contributing. And the national register is
2 actually having this conversation right now.

3 I just pulled this off of a discussion
4 that's happening about the guidelines that this came
5 about after New Orleans in relocating properties after
6 Hurricane Katrina and to avoid the construction of the
7 Veterans Administration hospital that raised this
8 concern about getting rid of that prohibition to
9 consider any house that's been -- any building that's
10 been moved.

11 That's what we're doing is talking about
12 non-contributing and if a property loses its status for
13 being moved. I just wondered. I wanted to hear from
14 staff on that item.

15 Okay. If there aren't any other questions
16 from the Landmark Commission, we're going to close the
17 public hearing, last chance. Commissioner Montgomery.

18 COMMISSIONER MONTGOMERY: I have a question
19 for the gentleman who wishes to speak. And that
20 question begins with, Is what you wish to say answer a
21 question or a comment made by a member of the
22 commission?

23 UNKNOWN SPEAKER: Yes, it does.

24 COMMISSIONER MONTGOMERY: Then please come
25 tell us what you -- but, please, only if you can stick

1 to something that we have asked about regarding our
2 three reasons for judgment on this.

3 UNKNOWN SPEAKER: Yes, ma'am. One of the
4 major topics in all of the meetings has been the cost of
5 removal. Ms. Scrips initially said to the mayor's task
6 force that it would cost \$800,000 just to remove the
7 statues. Now we're down to 480,000 for a total removal.

8 If you have to bring in experts to find
9 graves, we're going way over \$480,000 --

10 COMMISSIONER MONTGOMERY: I don't think the
11 cost, sir, is one of our three considerations.

12 UNKNOWN SPEAKER: Yes. Because we're
13 talking about bringing in experts to find these graves.
14 The cost of that is going to be astronomical. We're
15 going over 480,000 --

16 COMMISSIONER MONTGOMERY: We're not allowed
17 to consider the cost in making our --

18 UNKNOWN SPEAKER: But Ms. Montgomery, the
19 people of Dallas care about how much this is going to
20 cost.

21 COMMISSIONER MONTGOMERY: I'm a people of
22 Dallas and I do care too, I just don't think I'm in a
23 position to be able to make a ruling in that area.

24 UNKNOWN SPEAKER: Well, then, please keep in
25 consideration the cost of what's being proposed.

1 COMMISSIONER MONTGOMERY: Thank you for your
2 help.

3 CHAIRWOMAN SEALE: Okay. At this time we're
4 going to close the public hearing. I'll be looking for
5 a motion. Commissioner Swann, did you indicate earlier?

6 COMMISSIONER SWANN: Yes.

7 CHAIRWOMAN SEALE: Commissioner Strickland.

8 COMMISSIONER STRICKLAND: I also have a
9 motion, but if Mr. Swann has one.

10 CHAIRWOMAN SEALE: Okay, multiple motions.
11 Great, you-all stick around for later when we're looking
12 for motions. I want to see the same enthusiasm.
13 Commissioner Swann.

14 COMMISSIONER SWANN: Okay. With regard to
15 discussion of item No. 1, file No. CD189-007(LC),
16 otherwise known as the Confederate monument in the
17 Pioneer Cemetery Landmark District, upon finding that
18 the application does not meet the standard in City Code
19 section 51A-4.501(h)(4)(D), specifically that it does
20 not meet romanette iii, demolition of the structure will
21 not adversely affect the historic character of the
22 property or the integrity of the historic overlay
23 district, I move that we approve but with the following
24 four conditions:

25 No. 1. That the statues of Jefferson Davis,

1 Robert E. Lee, Stonewall Jackson, and Albert Sidney
2 Johnston be removed from their pedestals with damage
3 neither to the statues nor to the pedestals.

4 No. 2. That the central obelisk and the
5 four corner pedestals remain standing as they are and
6 that nothing be subtracted from them.

7 No. 3. That all elements formerly
8 constituting the Confederate monument remain in
9 unrestricted public view at the Pioneer Cemetery
10 Landmark District and within view of each other and
11 secured against damage of any kind.

12 No. 4. That an ad hoc committee of the
13 Landmark Commission ensure that actions taken within the
14 Pioneer Cemetery Landmark District or involving any
15 elements formerly constituting the Confederate monument;
16 A, meet the criteria established by the ordinance
17 creating the Pioneer Cemetery Landmark District; B,
18 uphold mission, purpose, and powers of the Landmark
19 Commission; C, address the concerns brought forth by the
20 city council; D, serve to increase public knowledge of
21 Jim Crow oppression in Dallas; and E, not adversely
22 affect the historic overlay district.

23 CHAIRWOMAN SEALE: Thank you, Commissioner
24 Swann. Do we have a second? Counsel.

25 MR. BURGESS: Yeah, Madam Chair, Casey

1 Burgess, City Attorney's office. This is an application
2 for certificate of removal. You cannot do that with
3 conditions. It's either you approve the removal or you
4 don't.

5 CHAIRWOMAN SEALE: Okay, thank you. Thank
6 you, Commissioner Swann, for offering us something. And
7 we've heard from legal. So did you want to make an
8 addition?

9 COMMISSIONER SWANN: Yes. I do want to
10 point out that we have a precedent in my own district
11 for a demolition with conditions. The interurban
12 trestle was demolished with the condition that the
13 foundations remain standing at a height of three feet
14 and that interpretive signage be added to the remainder
15 of the landmark and that signage come before Landmark
16 for approval.

17 CHAIRWOMAN SEALE: Okay. Commissioners, so
18 we don't have a second. Do we have -- Commissioner
19 Payton.

20 COMMISSIONER PAYTON: Yes. I was listening
21 to everybody who was -- who had something to say
22 about --

23 CHAIRWOMAN SEALE: Commissioner Payton, we
24 need a motion first I think. Are you going to make a
25 motion?

1 COMMISSIONER PAYTON: Yeah, I'm making a
2 motion.

3 CHAIRWOMAN SEALE: Okay, thank you.

4 COMMISSIONER PAYTON: But I have a statement
5 also.

6 CHAIRWOMAN SEALE: Okay.

7 COMMISSIONER PAYTON: All right. From
8 listening, they were sounding like Dallas is coming up
9 short on Confederate memorials. Dallas has streets,
10 schools, public buildings, named for Confederates. So
11 if they think that that's the only thing that's in this
12 city that's a memory to the Confederate dead, we've got
13 more than enough.

14 And if they want considering memorials, I'd
15 like to see a memorial put down on the edge of downtown
16 there for Kato, Sam, and Pat, three black men who were
17 hanged legally or illegally, they're just as dead, on
18 that spot who fought against slavery.

19 Or if not, I'd like to see a memorial put
20 down there for Jane Elkins, a black woman who was the
21 first woman legally executed in the state of Texas for
22 fighting against her oppressor.

23 So if we're going to talk about memorials
24 and we're going to talk about our heritage, then let's
25 balance it off by putting up a memorial for Patrick

1 Jennings, Cato, and Sam Smith.

2 But we've got a fire station named for
3 Cabell who was city mayor. We've got streets named for
4 Rickert. We've got Lang Street named for Lang. So
5 we're not poor on memorial for Confederates. So if we
6 are worried about that, we've got enough.

7 And I don't think that if they move that --
8 I was glad to hear that they've got a place already.
9 What did she say, Hensley Air Force Base I think I heard
10 somebody say, where we could put those.

11 And I'm sure if they're on the air force
12 base, they under safekeeping. So let's not worry about
13 not having enough memories of the Confederacy. We've
14 got more than enough. So taking down -- and the men
15 they're talking about at that memorial, none of them
16 were Dallasites. We're here to talk about the history
17 of Dallas.

18 Stonewall Jackson never spent a day in
19 Dallas. Jefferson Davis never spent an hour in Dallas.
20 So those are not memorials to Dallas. Those are
21 memorials to men who fought to keep slavery in tact.

22 That's not a memory about the Confederacy.
23 Those are men who fought to keep my ancestors in chains.
24 So that's why I think that if we are going to move
25 those, the memories of slavery are not going to go away.

1 They're here, they're part of the American flag.

2 So let's just go ahead and deal with these
3 and move on to things that are more -- have more
4 importance than some memorials to some old ladies who
5 were United Daughters of the Confederacy who wanted to
6 keep the memories of their grandpas and their great
7 grandpas in tact.

8 So if we're going to do something, put
9 something down there that's going to balance all the
10 history of the South and men who fought against slavery,
11 not men who fought to keep slavery in tact, but people
12 who fought against slavery.

13 We need some memorials to those. We don't
14 have a one.

15 CHAIRWOMAN SEALE: Thank you, Commissioner
16 Payton.

17 (Shouting in the chamber.)

18 Calm down, or we'll ask you to leave the
19 chamber. Commissioner Williams.

20 COMMISSIONER WILLIAMS: I have a motion.

21 CHAIRWOMAN SEALE: Thank you.

22 COMMISSIONER WILLIAMS: In the matter of
23 discussion item 1, 1201 Marilla Street, CD189-007(LC), I
24 move that we deny the CA application because the
25 proposed work does not meet the standard in section

1 51A-4.501(h)(4)(D)ii and that having been built in 1896
2 it is not newer than the period of significance for the
3 historic overlay district which ended in 1921.

4 This same Dallas City Code specifies that
5 all existing grave markers, monuments, and tombs are
6 protected. Protected is defined within the ordinance as
7 an architectural or landscape feature that must be
8 retained and maintain its historic appearance as near as
9 practical in all aspects, therefore, as a monument is
10 protected according to the ordinance.

11 CHAIRWOMAN SEALE: Thank you, Commissioner
12 Williams. Could you please hold your applause. Thank
13 you.

14 Thank you, Commissioner Williams, for the
15 motion. Thank you Commissioner Swann for seconding the
16 motion. Discussion, Commissioners? Commissioner
17 Montgomery.

18 COMMISSIONER MONTGOMERY: When I first saw
19 the way they had worded this agenda, I do question the
20 use of its being contributing or not as the basis for
21 which we make this judgment. Not that I'm saying you're
22 wrong, I thought that was not the way to go.

23 The component of that about whether or not
24 it is actually contributing to the overlay district or
25 not is one that I thought of considerably because I'm an

1 historian and I'm a public historian so I know about how
2 people -- I hope I know about how people look at public
3 displays of history.

4 In this particular case, I think the rising
5 awareness of what many people feel when they look at a
6 memorial like this, it's kind of that to some people, it
7 reminds them of their family and their heritage.

8 To other people it reminds them of their
9 heritage in a terrible way where you cannot unsee this
10 thing once you have seen it and the emotions it would
11 engender detract from the ability to appreciate the
12 history portrayed in the rest of the cemetery, which are
13 monuments to Dallas individuals some of whom fought in
14 the Confederacy and can be judged for their individual
15 merit, their contributions to the town, the other things
16 they did that you might not like.

17 And so I question whether leaving this here
18 could possibly actually be detracting from the cause of
19 preserving history in a way that the public can
20 understand it in this particular spot. It has become so
21 controversial and we now know the extreme deeply felt
22 pain it causes so many people that for so many years we
23 just didn't think about.

24 Times change and sometimes you reevaluate
25 what things mean. It's kind of an ugly symbol. If it

1 were moved to a place where they really will do
2 interpretation, there will be signage and you sign up to
3 go, I'm going to go look at the Confederate monuments.

4 I'm going to see Confederate monuments and
5 learn about why they were put up, it would be a
6 completely different context for viewing and
7 understanding all meanings of this monument.

8 I would tend to see that as a justification
9 for not supporting this particular motion.

10 CHAIRWOMAN SEALE: Thank you, Commissioner
11 Montgomery. Commissioner Williams.

12 COMMISSIONER WILLIAMS: Yes. And I don't
13 disagree with you on that. It's just the way this was
14 given to us today. We were only allowed to look at this
15 under these three very strict ideas. The structure is
16 non-contributing; the structure is newer than the period
17 of significance; or that the demolition will not
18 adversely affect it.

19 Reading the ordinance itself for Pioneer
20 Cemetery, I just can't see that falls under those three
21 things. So regardless of any of this discussion, and I
22 so appreciate everyone that came to speak their mind
23 today on both sides of the issue, I see the point. And
24 I certainly see Commissioner Payton's point on this.

25 I just feel that the way that the city

1 council gave it to us today left us in a difficult
2 position of dealing only with this application under
3 this very strict form. And that's where my motion is
4 coming from.

5 CHAIRWOMAN SEALE: Thank you, Commissioner
6 Williams. Commissioner Spellicy.

7 COMMISSIONER SPELLICY: I will not be in
8 support of this motion today. And I appreciate
9 Commissioner Williams, your point, about how it was
10 brought to us. And yet recently we have, or at least a
11 group has, routinely gone against our ministerial duties
12 in denying certificates for demolition within the Tenth
13 Street.

14 When I look at this I think a part of it in
15 reading all of the e-mails that came or that were
16 submitted, the vast majority asked for
17 re-contextualization of it.

18 And yet to do that, including the artistic
19 options offered by Ms. Woods, and I have a great
20 appreciation for her art and what she's trying to
21 achieve, will once again come back before the Landmark
22 Commission.

23 And considering the amount of time that we
24 spend discussing murals, temporary signage, doors, and
25 windows, to believe that this is the appropriate place

1 to make a determination about how to re-contextualize
2 it, how that art installation would look would not be in
3 our or the city's best interests.

4 So I think at the heart you have to decide,
5 does allowing the city to go ahead and move it, does it
6 harm the program's mission, its purpose overall or not?

7 I think at this point to allow it to remain
8 harms the program overall in regards to what we're
9 trying to achieve. So I appreciate the reasoning that
10 you gave, Commissioner Williams, but I will not be in
11 support of this motion.

12 CHAIRWOMAN SEALE: Thank you, Commissioner
13 Spellicy. Commissioner Strickland.

14 COMMISSIONER STRICKLAND: I similarly will
15 not be in support of this motion for several reasons.
16 First, we've heard from many speakers who discussed that
17 this is political in the attempt to move it.

18 I would like to point out that the erection
19 of this monument to the Confederacy in 1896 was
20 political propaganda to pervert the history and the
21 remembrance of the Civil War that divided our country.

22 This is not a memorial to the entire Civil
23 War. This is a memorial to a specific side to that and
24 I don't find that to have any relation to Pioneer Park
25 and our remembrance of the pioneers who founded our

1 city.

2 The few Confederates that are buried in this
3 cemetery are not remembered because of their actions in
4 the Civil War and the Confederates, the four statues
5 that are named in this memorial, are not buried in this
6 cemetery.

7 It has virtually no connection to our city
8 and the founding of our city and what we're trying to
9 remember here and maintaining this Confederate Memorial
10 here never gives it a chance to be properly
11 contextualized to take away that propaganda aspect.

12 And for it to be moved as the arts
13 department would like, is the only chance where we can
14 properly contextualize this, preserve this monument as
15 it was built by the Confederates and then give it that
16 proper context.

17 If we try to contextualize it within this
18 historic park, this issue comes back before us and we're
19 the ones who have to make the decision of how we're
20 going to contextualize it as opposed to moving it to
21 another property that the city can decide and dedicate
22 those resources.

23 That's why I find it compelling as the city
24 staff has presented that the removal of the structure
25 will not adversely affect the history of pioneers of the

1 City of Dallas. We have a concrete pad.

2 It will not be damaged and the park will not
3 be damaged in the removal of this and we can actually
4 put it somewhere where it's important to keep that. And
5 I don't find that compelling here in our historic
6 cemetery. Thank you.

7 CHAIRWOMAN SEALE: Thank you, Commissioner
8 Strickland. Commissioner Amonett.

9 COMMISSIONER AMONETT: Thank you. I have a
10 great deal of respect for Commissioner Williams and I
11 agree with some of her points, but I'm unable to support
12 the motion myself and agree with what's been said.

13 Also, I feel that this monument that has
14 people not from Dallas, not even from this area, in our
15 cemetery with our early founders is harming the purpose
16 of the cemetery in itself and the reason that you would
17 go there to see people that were from Dallas.

18 But if this stays there, you're not going to
19 be able to do that. You're just going to focus on this
20 and it's going to constantly be the focus of the
21 cemetery rather than the people that founded this city.

22 My great grandfather came here in the early
23 1900s and there's some context from Dallas. In the
24 early 1920s, one out of every three men in Dallas was a
25 member of the Klan. That's who we are. That's who our

1 ancestors are.

2 And I've read the secession declarations
3 from the states and they all had language about how
4 black people were inferior and I don't want to be any
5 part of that. And if that means that I'm making a
6 decision not based on history, then so be it, but I
7 really feel that these people aren't connected with
8 Dallas.

9 It is what Commissioner Strickland said, it
10 was political when it was erected. And so if it's a
11 political decision today that makes it go away, then so
12 be it.

13 CHAIRWOMAN SEALE: Thank you, Commissioner
14 Amonett. Commissioner Swann.

15 COMMISSIONER SWANN: Yeah. This is not a
16 cause of longstanding for me. I spent the last eleven
17 years working on the history of Tenth Street Freedman's
18 Town which has been largely ignored by historians.

19 My interest in Freedman's towns came about
20 when I was about six years old and my father would drive
21 me down Central Expressway on the way to the Dallas
22 Public Library. And on the way there we would see
23 Freedman's Memorial Park.

24 At that time it was a park with a basketball
25 hoop on a half court or something. And it was largely

1 ignored. The cemetery aspect of it was largely ignored.
2 It was a play park. And I asked my dad about it. And
3 he explained to me what it was.

4 And the reason I bring this story up is that
5 his explanation of the Freedman's Town and what that was
6 became an interest that I nurtured for the rest of my
7 life and still do now and that's one of the reasons I'm
8 fighting for Tenth Street.

9 And if we don't have these things on the
10 ground to spur those kinds of questions, many of those
11 questions will not be asked. And the reason I framed my
12 motion the way that I did was because I felt there was a
13 possibility of taking these, at least some of these
14 men -- I'm a little bit tossed up about the fellow at
15 the top because he's a little bit more of an everyman
16 certainly than the other four.

17 But I felt there was an opportunity to take
18 them down out of their honorific position and simply put
19 them at eye level where they could be studied as mortal
20 men.

21 But more importantly, I disagree strongly
22 with the word re-contextualize. That place has value to
23 somebody interested in Tenth Street as providing a
24 context to tell the story of Jim Crow oppression, which
25 is one of the most underserved chronological gaps as

1 identified by the National Historic Landmark program in
2 the story of African-American built heritage,
3 African-American history through built heritage.

4 The public input, to me, indicates that
5 there is still -- we have not earned a consensus on this
6 matter and as gratifying I know as making these things
7 go away is to many people. In a way I might be one of
8 them.

9 I think that making these go away and
10 turning this into a kind of zero sum game instead of the
11 complicated situation that it is, and I'm not defending
12 these as Civil War history there, or not Civil War
13 history there, or Jim Crow history, but anything that is
14 created at such expense and permitted to stand in the
15 city and celebrate and not only that, moved twice to be
16 put in a more celebratory position is certainly part of
17 our history.

18 It is a testament to the city's values
19 however warped over a long period of time. And for that
20 alone, I think this could have been a very rich place
21 and an opportunity for a dialogue that we obviously have
22 not had.

23 And I'm afraid that turning this into a zero
24 sum game only hardens positions and hardens hearts and
25 I've got to think about what Lincoln said at the close

1 of his second inaugural address when he said: I'm
2 loathe to close, but I'm closing. I'm loathe to close,
3 we are not enemies but friends. We must not be enemies.
4 Though passion may have strained, it must not break our
5 bonds of affection.

6 The mystic cords of memory stretching from
7 every battlefield and patriot grave to every living
8 heart and (indiscernible) all over this broad land will
9 yet swell the chorus of the union when again touched as
10 surely they will be by the better angels of our nature.

11 And here on the doorstep of Dallas it seemed
12 we had a chance to crown these granite pillars with the
13 better angels of our nature but only if we let our
14 better angels guide us. Thank you.

15 CHAIRWOMAN SEALE: Thank you, Commissioner
16 Swann. Commissioner Slade.

17 COMMISSIONER SLADE: I also will be voting
18 against this motion. We visited at this horseshoe a
19 number of emotional matters that sway people one way or
20 the other. Our job here is to consider the facts. And
21 the applicant has presented facts in support of the
22 motion and we have not yet heard any facts that detract
23 from the application.

24 CHAIRWOMAN SEALE: Thank you, Commissioner.
25 Since nobody has their light on, I will offer up my

1 comments.

2 I don't know about you-all, Commissioners,
3 but I have been up all night and much of the weekend.
4 Of course we thought this was coming to us in April, but
5 it came to us in March.

6 Many of you know I'm the former executive
7 director of Preservation Dallas and I went through
8 probably what all of you went through in this. What are
9 we supposed to do? What's the charge of the commission?
10 What's our goal here? What's the purpose? What are we
11 being asked to do? How is this coming to us?

12 Ultimately why I will be supporting the
13 motion is because I set aside my own personal beliefs
14 for what I think I want to have happen and I looked at
15 what our charge is. And our charge is to look at the
16 application in front of us and the burden of proof is on
17 the applicant itself and then we determine if they met
18 that burden or not.

19 And I cannot understand why in an ordinance
20 that spells out very clearly in front of us, 4.1, is
21 existing monuments are protected. The city's argument
22 that it's a mistake, it actually meant all the other
23 monuments.

24 It didn't actually mean this monument even
25 though we have testimony from the chairman of the

1 commission when this was passed that, no, they did mean
2 this monument, that is exactly what they meant when they
3 put that language in there.

4 So I can appreciate, too, the city's
5 argument, the request that it's newer than the period of
6 significance because of the National Register. But
7 Commissioners, we're not a National Register program and
8 we're not bound by the National Register.

9 Furthermore, the National Register is
10 starting to -- there's a movement to undo their
11 prohibition of moved structures after. So I think
12 that's a weak argument for us, too.

13 And then I'm not sure, Commissioners,
14 without a certificate of appropriateness as to how this
15 structure would be removed we can't allow for the
16 demolition. We don't remove buildings in historic
17 districts unless we have a CA to know what's going to
18 take its place frequently.

19 So to allow for the demolition with no plan:
20 What is the path for removal? What type of equipment?
21 Do we have an archaeological, somebody that is present?
22 What is the guidance of the Texas Historical Commission?

23 I certainly believe Ms. Scrips when she says
24 that if we find anything, we're going to stop and we
25 will go through those proper procedures.

1 But as a commission I don't know how we
2 would when we know anytime that we've done any work on
3 Pioneer Park we have found the presence of graves, we
4 would approve a removal without having a plan in place
5 to protect, to know.

6 When we remove them what's left with the
7 depression? Are we going to fill it in with dirt? More
8 than three inches of soil will be disrupted and we have
9 no assurances here that we're going to be able to do
10 that unless we just go out and find them.

11 So those are the reasons why we have to look
12 at our standard. And also, I just will offer this, I
13 really just have to say the reason this has been given
14 to us, it's very unfortunate, in my opinion, the way
15 this has been given to us.

16 The council declared their intention for
17 what they wanted to have happen and they're putting the
18 Landmark Commission in essentially an appellant position
19 to then either uphold their decision or reject their
20 decision.

21 And that is not an -- that is inverting the
22 balance of power, if you will. It's bypassing regular
23 order. We are a group of professionals and a group with
24 a lot of experience and a lot of thought. I am so proud
25 to serve along every single one of you. This group is

1 so impressive.

2 Because you put so much of your energy and
3 your expertise and your time into these issues and you
4 consider all of these things, the cemetery, the impact,
5 adverse impact, non-contributing, what's the cemetery
6 (indiscernible).

7 So I think that it would have obviously
8 probably been our preference to deal with these issues
9 that the council has already wrangled with because we
10 are the experts. This should be in our court. We
11 should be the ones that are making recommendations about
12 what should happen.

13 But that's not in front of us. The only
14 thing that's in front of us is the standard they applied
15 under, and therefore we have no choice but to look at
16 what that standard is and determine if it meets that
17 standard or not.

18 And the city has not provided a compelling
19 case that the structure is non-contributing, newer than
20 period of significance, or they will not have an adverse
21 effect on the character of the district.

22 So nobody else has their light on. We will
23 call for a vote. We'll see what happens. The vote on
24 the floor is by Commissioner Williams. Commissioner
25 Williams, I'm going to ask you to repeat your motion for

1 us.

2 It's essentially to deny the application,
3 but just so we're clear, we have a very clean, clear
4 record, could you repeat your motion.

5 COMMISSIONER WILLIAMS: To deny the
6 application because the proposed work does not meet the
7 standard in section 51-A4.501(h)(4)(D)ii and that having
8 been built in 1896 it is not newer than the period of
9 significance for the historic overlay district.

10 The same Dallas City Code specifies that all
11 existing grave markers, monuments, and tombs are
12 protected. Protect is defined within the ordinance as
13 an architectural or landscape feature that must be
14 retained and maintain its historic appearance as near as
15 practical in all aspects.

16 Therefore, as a monument it is protected
17 according to the ordinance.

18 CHAIRWOMAN SEALE: And the second was by
19 Commissioner Swann. All of those in favor of the
20 motion, please say aye. Any opposed? Okay. We're
21 going to call for a vote.

22 So all of those in favor of the motion made
23 by Commissioner Williams, seconded by Commissioner
24 Swann, are Childers, Swann, Seale, Williams, Flabiano,
25 and Richter, correct?

1 And then all of those in opposition --

2 COMMISSIONER PAYTON: For clarity for me and
3 for others who might not understand, are we voting to
4 move or to leave it there? What are we voting for? I
5 want clarity.

6 CHAIRWOMAN SEALE: The motion is to deny the
7 application to remove.

8 COMMISSIONER PAYTON: So that means leave it
9 there?

10 CHAIRWOMAN SEALE: Correct.

11 COMMISSIONER PAYTON: All right. And others
12 it means to take it out to Hensley or somewhere?

13 CHAIRWOMAN SEALE: Correct.

14 COMMISSIONER PAYTON: Okay.

15 CHAIRWOMAN SEALE: And then so those in
16 opposition would be, I'm thinking it's going to fail.
17 Slade, Richter -- I'm sorry, Strickland, Hinojosa,
18 Payton, Amonett, Montgomery, De Le Harpe, Spellicy, and
19 Peach.

20 So the opposition has it so the motion
21 failed, six in favor, eight against. So we're looking
22 for a new motion. Commissioner Strickland.

23 COMMISSIONER STRICKLAND: I have another
24 motion. In the case of CD189-007(LC) for 1201 Marilla
25 Street, I move that we approve the removal of the

1 structure pursuant to section 51A-4.5019(h)(4)(D), that
2 the structure is non-contributing to the historic
3 overlay district.

4 The structure was installed after the period
5 of historic significance for the historic overlay
6 district. And the removal of the structure will not
7 adversely affect the historic character of the property
8 or the integrity of the historic overlay district.

9 CHAIRWOMAN SEALE: Thank you. Do we have a
10 second? Thank you, Commissioner Hinojosa. Discussion?
11 Commissioner Williams.

12 COMMISSIONER WILLIAMS: I still don't
13 understand how we can describe this as non-contributing.

14 UNKNOWN SPEAKER: When I -- my
15 interpretation of this, if I'm allowed to speak, is that
16 I view Pioneer Park and what was the intent of this
17 historic district is to recognize the historic
18 contributions in the founding of our city, that I see
19 this memorial to the Confederacy as an anathema to the
20 founding of our city.

21 None of the people depicted in the statue
22 have anything to do with the City of Dallas. They did
23 not live here. They are not buried here. They did not
24 visit our city. So I see this again that when it was
25 built, it was built during the period of historic

1 significance for this park.

2 Our city founders chose not to put it in
3 this park at the time that it was erected. They chose
4 to place this over in a separate area over in Old City
5 Park because the intent of this memorial is to celebrate
6 the Lost Cause mythology. They only moved it here after
7 the fact. It was not an intentional historic
8 preservation.

9 It was sort of an accidental, half to move
10 it someplace else because we're putting in a highway.
11 That's why I don't consider it contributing at all to
12 the history of the City of Dallas and our pioneers.
13 That is why I do not consider it part and parcel to what
14 we're trying to preserve in Pioneer Park.

15 UNKNOWN SPEAKER: I wondered, though, since
16 when Pioneer Park was actually formed under the
17 ordinance, it was included in Pioneer Park. There's no
18 exclusion of it from Pioneer Park itself. And it
19 does -- I guess this is the reason I won't be supporting
20 the motion because it is itself a monument and it is
21 included within the ordinance.

22 And these are simply under the standard of
23 approval that we were given today. It has nothing to do
24 with personal opinions or testimonies really on that.
25 Simply the way the ordinance was written, it is included

1 in the ordinance, and it is a monument. And therefore
2 under the ordinance itself, I just didn't see from the
3 testimony of the applicant that it was excluded as a
4 monument.

5 Although our applicant did attempt, I think,
6 to describe that to some extent, but for that reason --
7 that reason is my main reason for making it difficult to
8 support the motion.

9 CHAIRWOMAN SEALE: Thank you. Commissioner
10 Swann.

11 COMMISSIONER SWANN: Yeah, with all respect,
12 Commissioner Strickland, I think that your
13 characterization of the cemetery is, for lack of a
14 better word, a bit fanciful in terms of its idealization
15 of the people buried there.

16 This was a restricted cemetery that was
17 founded as a Mason's and Odd Fellows cemetery. If you
18 were black, you could not be buried. In fact that
19 cemetery never took African-American burials.

20 That's why I did feel that the public
21 speaker referred to the cemetery at Tenth Street, that
22 was a relevant connection because that is the
23 African-American counterpart to this cemetery.

24 The Oak Cliff cemetery was actually
25 segregated as all cemeteries were at the time but it was

1 not restricted as this cemetery was. And if you walk in
2 the cemetery, that's why I'm kind of astonished that the
3 applicant would answer the way she did when I asked
4 about Confederate graves in that cemetery because if you
5 walk there you will find them. They're everywhere.

6 And the history of our founding is replete
7 with Confederates, like it or hate it, that's the way it
8 is. Even when you go to Tenth Street, one of our
9 streets is named for a Confederate veteran.

10 His wife was a member of chapter 6 of the
11 Daughters of the Confederacy at the time this memorial
12 was put up at the very time that our neighborhood was
13 really starting to get off the ground.

14 That same Confederate veteran sold land to
15 the first African-Americans on Tenth Street, W. J.
16 Betterton sold the first lots to Anthony Boswell and
17 Hillary Boswell on January 12th, 1888. W. J. Betterton
18 also was the witness on Anthony Boswell's will.

19 So what I'm saying is that these histories
20 are so intertwined, they're not unlike the first bodies
21 to be buried at Arlington. Montgomery Meigs who was the
22 quartermaster for the Union Army, a Georgian, who came
23 and served the union, determined that he would bury
24 bodies at Arlington, repurpose Lee's home and you got to
25 think.

1 There was a spirit, they knew they were
2 going to have to reunite a country. They did not put a
3 torch to Lee's home. They repurposed Lee's home and
4 they did it in a meaningful way.

5 Meigs's intention was that only Union dead
6 would be buried at Arlington, but when they went to the
7 battlefield they found that the bodies were so -- the
8 carnage was so inseparably mixed that they realized they
9 would have to accept the dead from either side
10 regardless of side.

11 And instead of burying them by bodies, they
12 buried the heads together, they buried the leg bones
13 together, they buried the arms, they separated them by
14 parts.

15 So that is the nature of our history. You
16 can't play pick-up sticks with it. Anytime you pull out
17 a stick you move another stick. Thank you.

18 CHAIRWOMAN SEALE: Thank you, Commissioner
19 Swann. Commissioner Payton.

20 COMMISSIONER PAYTON: Yeah. First, I don't
21 want to refight the Civil War. The South lost and to
22 continually bring this up, let's come in and name
23 something after some people who fought for freedom.
24 They fought to keep the old way. We're trying to move
25 into a new generation now.

1 And to keep giving our schools named
2 after -- schools, parks, streets, named after old
3 Confederate generals, that's good, that was good. But
4 now we've got some new heros and some new she-ros and
5 we've got to name some things that -- we've got to name
6 some things after. We've got to put in some new
7 memorials.

8 To keep bringing these same old guys up, we
9 had schools named for Cabell, we've got a federal
10 building named for a former mayor whose daddy was county
11 sheriff and also the county hangman, Old Tige Cabell.
12 And we've got a fire station named for him. We've got a
13 school named for Jefferson Davis. We've got a school
14 named for Albert Sidney Johnston.

15 So I mean when does this end? Do we name
16 another generation after these old Confederate generals?
17 Do we just continue to keep these guys going or do we
18 bring in some new people, some new energy because we're
19 trying to get new life coming into Dallas.

20 But to keep bringing these old guys up
21 saying they were the greatest, they wasn't the greatest.
22 They wasn't the greatest. We keep living in that, as
23 she said, mythology about how great these guys were.
24 They wasn't that great so let's move on and do some new
25 things for the City of Dallas. That's what we're

1 supposed to be about, trying to bring some new light,
2 some new energy into the city.

3 And they keep beating people across the head
4 with old Stonewall Jackson and all of them. As a matter
5 of fact Stonewall Jackson's own men shot him and killed
6 him. So he wasn't that great if his own men shot him
7 and killed him. So let's bring some new stuff into
8 Dallas. Let's start some new heros, some knew people.

9 CHAIRWOMAN SEALE: Thank you, Commissioner
10 Payton. Commissioner Strickland.

11 COMMISSIONER STRICKLAND: I just want to
12 respond to Commissioner Swann, the idea that we don't
13 want to play pick-up sticks with our history. I find
14 this monument, this memorial, is specifically picking up
15 sticks. We have Union soldiers buried in Pioneer
16 Cemetery. We're not honoring them.

17 This monument was -- this memorial was built
18 and erected intentionally during the period of
19 significance for this Pioneer Park but it was erected
20 someplace else in town. Because this is not intended to
21 honor the dead of the Civil War.

22 This is intended to honor the Lost Cause
23 mythology. It was built in the 1890s, 1896. So it
24 was -- by only focusing on this one aspect of a few of
25 one side that died in the Civil War, we are not honoring

1 the full pioneers of our city that are buried in Pioneer
2 Park.

3 And it was intentionally named Pioneer Park
4 to honor the founders of the City of Dallas and we do
5 have Union soldiers buried in this cemetery as well. So
6 this monument has already been moved one time because
7 the city chose to move it someplace else.

8 This is why I don't specifically find it
9 contributing to the historic nature of this park. And
10 at the time it was designated, it's not like the
11 Landmark Commission was going to say we want to
12 designate this but we need you to move this.

13 It just happened to be there at that time,
14 but it's not contributing to the honoring of our
15 founding of our city and the pioneers who are buried
16 here who fought to establish us as a city.

17 And that is why I find specifically the
18 difference between the historic nature of this park and
19 this monument which is not -- which was not ever erected
20 or intended to be honoring the dead who are buried in
21 the cemetery.

22 It was erected across town and it just
23 happened to be moved there later on. So that is why I
24 find it very different than the rest of this park.

25 CHAIRWOMAN SEALE: Thank you. Commissioner

1 Montgomery.

2 COMMISSIONER MONTGOMERY: We've been put in
3 a very difficult procedural position here because you're
4 asking us to vote on something that doesn't exactly say
5 what we all know we're really here about and try to
6 resolve those two things. With my desire to have all
7 pieces of history preserved, I came to the conclusion
8 that I consider this particular monument to detract from
9 the place where it is.

10 I do not want to see anything destroyed
11 though I know that sometimes things must be because of
12 various reasons and they should still be commemorated
13 some other way.

14 We have on tape and people are watching us
15 right now. All the assurance we can reasonably get from
16 Ms. Scrips and the city that they do not intend to
17 destroy this monument, they intend to try to move it
18 someplace where it can contribute to historical
19 knowledge better.

20 A monument or a memorial means what the
21 person who perceives it thinks it means. Whatever the
22 intent originally was, perception is your own reality.

23 When you look at that, if it makes you proud
24 of your own family's history in the Confederacy, that's
25 nice. If it makes you miserable realizing your own

1 family's history of oppression, that's a lot stronger
2 emotion.

3 I think this violates the spirit of the
4 Pioneer Cemetery for the same reasons that Commissioner
5 Strickland had stated. And that's why I really think
6 that we have to take what we have from the city and
7 trust them that they intend to preserve history even in
8 the form of keeping this exact monument someplace.

9 And remember that you can also learn about
10 the history of the bravery of the Confederate soldiers,
11 if that's the parts you want to look at, by looking at
12 books, looking at podcasts, looking at blogs, any other
13 ways that we maintain history.

14 This particular monument has ceased to be as
15 much of a historic document as it has become a point of
16 emotional explosion for some people. Let's put it
17 someplace where people can learn about it in context,
18 and that's why I will vote the way I'm going to vote
19 even though I realize there are problems with the
20 request before us.

21 But I'm going to hold them to the very first
22 word, remove. They didn't say demolish, they said
23 remove. I'm voting to remove it. I'm not giving my
24 permission for any further destruction of the record of
25 history.

1 CHAIRWOMAN SEALE: Thank you. Commissioner
2 Spellicy.

3 COMMISSIONER SPELLICY: I have a question
4 for Commissioner Swann who I have found your thoughts
5 and philosophies on preservation and race to be
6 extremely informed. They've had a great deal of
7 influence upon me.

8 One of my concerns has to do with whether or
9 not it remains as is or re-contextualized, which I know
10 that's a word you take issue with, and believing that
11 this is an inappropriate body to make the determinations
12 on the appropriate way to re-contextualize these things.

13 Is your position such that you -- the
14 monument, memorial, whatever, that it should remain
15 untouched as is, or do you believe there is supposed to
16 be this next step that would bring it back before the
17 Landmark Commission to determine in regards to
18 educating, re-imagining, whatever word you would feel
19 comfortable using?

20 COMMISSIONER SWANN: Well, what I would say
21 is reconfigure or redeveloping it to provide context for
22 a broader narrative that includes the Freedman's Town,
23 that includes the African-American experience. Because
24 right now it doesn't.

25 There is nothing there to welcome an

1 African-American to that site. That could be changed.
2 And one of the reasons that my first condition was that
3 those four, I guess you call them champions of the
4 Confederacy on the corners come down.

5 As Mayor Landry said we cannot have them on
6 their pedestals. That was his chief objection. And I
7 think that the reason that the -- when I said about
8 address the concerns of the council, I think, as
9 expressed by my councilwoman, one of her chief concerns
10 was that this is what greets our visitors.

11 And I think that we could greet our visitors
12 in a way that is welcoming and sophisticated but
13 acknowledges the pain and the hurt and the, yes, the
14 deliberate deception, the propaganda, that characterized
15 Jim Crow from the 1890s right on to the voting act of
16 1965.

17 So, yes, I'm saying that we could -- I was
18 hoping that we could have a richer dialogue that would
19 invite perhaps not the court artist for
20 re-contextualization or re-visioning. Maybe
21 re-visioning is a better word.

22 But that would actually involve an open call
23 and an exhibit that could incorporate primary source
24 evidence from this site and from Tenth Street and from
25 all those landmark districts that have primary source

1 evidence to bring to this particular early founding and
2 Jim Crow narrative, which of course Tenth Street does.

3 You've heard me speak about the cemetery
4 there and its origins in the 1840s.

5 COMMISSIONER SPELLICY: So the education and
6 the re-visioning, though, would fall once again and
7 become the responsibility of the Landmark Commission to
8 determine its appropriateness.

9 COMMISSIONER SWANN: I think that the
10 Landmark Commission should play a great role because
11 that's why I defined this in terms of other landmark
12 districts.

13 Because I think the community here in some
14 ways most affected is those of us who are stakeholders
15 in landmark districts because we're familiar with a
16 specific set of concerns involved with preserving built
17 heritage and not everybody is versed in those things.
18 Not everybody has the direct experience of working on
19 the ground.

20 Because as you know, it involves a
21 particular skill set and it's not for everybody. So,
22 yes, I think that's part of the role. If you look at
23 our statement of purpose, one of the things that we're
24 supposed to do is, it was about knowledge. I've got it
25 here. I've got to put my glasses on.

1 Increase public knowledge and appreciation
2 of the city's historic past and unique sense of place.
3 And I think when we talk about a historic sense of past
4 and a unique sense of place, we're talking about the
5 ugly too.

6 As Mr. Johnson said before City Hall
7 earlier, to erase history because it is ugly or brutal
8 or bloody or offensive as he said is tantamount to
9 (indiscernible) mother saying close the casket.

10 There are some things we have to look upon
11 to thoroughly understand and I don't think that a page
12 in a book or a photograph in a library offers the same
13 kind of connection and visceral response that an
14 experience in three dimensions with materiality with all
15 the things that contribute to historic integrity.

16 And we are concerned first and foremost with
17 historic integrity. It's the telling of truth. It's
18 integrity also in the sense of completeness and
19 wholeness.

20 And I think when you start subtracting
21 substantial elements like this that are really
22 representative of the times, and not just a very
23 specific time in 1896, but also like all the years up to
24 1961 when it was again felt to be so iconic to the
25 prevailing social order of the time.

1 The institutionalized power that prevailed
2 through all that era that they decided to put it where
3 visitors would most see it. And of course now we're in
4 a quandary where that's our problem, that it's the first
5 thing that greets visitors.

6 But I do think that with a broad
7 conversation that brought in all the stakeholders, the
8 descendants of freedmen, the owners of historic homes in
9 Tenth Street --

10 CHAIRWOMAN SEALE: Commissioner Swann, I'm
11 going to cut you off right there, I'm sorry.

12 COMMISSIONER SWANN: That's okay. I think
13 we get the idea. Thank you, Commissioner Spellicy, for
14 your question.

15 CHAIRWOMAN SEALE: Commissioner Childers.

16 COMMISSIONER CHILDERS: Just to add to
17 Commissioner Swann's comments in fewer words with all
18 due respect, Mr. Swann.

19 About ten years ago at the county records
20 building, they removed a piece of wall and there was a
21 ghost image of a "whites only" sign above the drinking
22 fountain.

23 And they could have taken \$20 worth of paint
24 and covered that over, but they turned it into a
25 teaching moment and they interpreted it. They put up

1 interpretive language explaining why this whites only
2 drinking fountain existed in the first place.

3 And then subsequently they actually turned
4 it into a bit of an art piece where when you go to get a
5 drink, when you push the button, you have a 15-second
6 video that explains why this whites only sign was there.

7 I think that we're missing a great
8 opportunity for a teaching moment by removing this
9 monument.

10 CHAIRWOMAN SEALE: Thank you. Commissioner
11 De Le Harpe.

12 COMMISSIONER DE LA HARPE: Thank you,
13 Chairman. I want to thank everyone in the audience for
14 being here today because we are not talking about
15 erasing history in any form. We are all here together
16 today making history. This is what we're doing today in
17 the City of Dallas is making history.

18 This was moved because the freeway was put
19 in which literally split our city in half. And we have
20 moved as a city with a division that has gone on for a
21 long time and this is a time that we can make a change
22 and history continues.

23 This monument can go to a place where it's
24 going to tell a better story in full contextualization.
25 We're not making its end. We are making the future a

1 better possibility.

2 CHAIRWOMAN SEALE: Thank you. We've closed
3 the public hearing. Thank you. Commissioner Hinojosa.

4 COMMISSIONER HINOJOSA: Yes, I'd like to
5 just state that, yes, we're here for the integrity of
6 historical sites, but yet some of us are also here
7 because we're representing our communities. If you look
8 around that horseshoe the only black and brown face you
9 see here are myself and Commissioner Payton.

10 So we are representing our community and the
11 pain of our community and our shared pain at something
12 of this magnitude that obliterates our history just as
13 the monument needed to be moved in 1961 for physical
14 external factors, it needs to be moved now for
15 sociological external factors.

16 This is what's happening today. Things
17 change. Communities change and we have to acknowledge
18 that. We don't have to be split. We're not saying
19 demolish this monument.

20 We're saying put it somewhere else. Put it
21 somewhere else there can be a teaching moment somewhere
22 else but not right in the center of town where
23 Commissioner Payton, myself, and our communities have to
24 go and see this and experience this day after day after
25 day.

1 It's more than enough time has passed for
2 something like this to happen. Thank you.

3 CHAIRWOMAN SEALE: Thank you, Commissioner.
4 So Commissioner Payton, one more thing?

5 COMMISSIONER PAYTON: We're not here for
6 history. We're here for our story, our story has to be
7 told. This is the history of everybody now, just like
8 she said, we aren't just here for history.

9 It was written by an old white man writing
10 about themselves and writing about each other. They can
11 write whatever they want to write but we know that's not
12 the truth. So we're here about our story now. We're
13 not here about history.

14 CHAIRWOMAN SEALE: Thank you, Commissioner.
15 With that we're going to call for a vote. Just to
16 remind you-all, the motion on the floor is by
17 Commissioner Strickland and it is to approve the city's
18 request to remove that monument and place it into
19 storage.

20 All those in favor of the request, please
21 say aye. We've got a show of hands so we can do a
22 verbal here. Slade, Richter, Strickland, Hinojosa,
23 Payton, Amonett, Montgomery, De Le Harpe, Spellicy and
24 Peach.

25 In opposition, we've got Williams, Swann,

1 Flabiano and Seale and Childers. Motion still is going
2 to carry. So the motion passes, one, two, three, four,
3 five, six, seven, eight, nine, ten were for the motion.
4 And one, two, three, four, five were opposed so the
5 motion easily carries.

6 Thank you all for being here. Thank you-all
7 for coming. Thank you for participating. And we hope
8 you come back and join us as we deliberate and wrangle
9 over other issues of the commission.

10 For the record, any interested party can
11 appeal the decision of the Landmark Commission to the
12 City Plan Commission within 30 days.

13 (End of second segment, ending at 2:24:35.)

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1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Leslie McDonald Wilkins, Registered Professional
4 Reporter No. 029319, certify that the foregoing
5 proceeding was transcribed from an audio recording and
6 that it was transcribed to the best of my ability.

7 GIVEN UNDER MY HAND on this the 9th day of April,
8 2019.

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