

**HISTORIC PRESERVATION REVIEW COMMISSION**  
**232 N. Queen Street**  
**February 07, 2011**  
**Regular Meeting, 7:00 PM.**  
**J. Oakley Seibert Council Chambers**

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With a quorum present, Chairman Don Wood called the regular scheduled meeting of the Historic Preservation Review Commission to order at 7:00 p.m. The following members were present: Don Wood, Gary Gimbel, Sarah Thompson, Lisa Clipp, Ronald Muth, Keven Walker and Nell Thompson. Also in attendance were Legal Counsel Kin Sayre, City Planner Tracy Smith and City Recorder Gena Long.

**APPROVAL OF January 2011 MEETING MINUTES.**

Commissioner Gimbel moved to accept the minutes as presented. Commissioner N. Thompson seconded the motion, which was followed by a unanimous vote of "aye." Motion carried.

**UNFINISHED BUSINESS**

- 1. CASE # HP 10-081. 224 W. Race Street Public Hearing.** Application for certificate of appropriateness to repair structure. DMC Properties, applicant.

Ms. McGhee: My name is Dorothy McGhee and I am the owner of 224 West Race Street.

Chairman Wood: Ok fine, you want to tell us what you would like to do?

Ms. McGhee: Yeah, I think you all have the application with the photos in front of you. Um, the, I don't know the technical language here, but the exterior wall underneath the gable is collapsing. It's falling inward and it needs to be replaced. This is a side of the building that is actually hard to see because it is about fifteen-feet from the building next door, so it's not a section of the building that presents itself to the street strongly or affects the view with any particular significance, I don't think. We would like, uh, to replace it with siding rather than replace it with the brick. I think it would be nearly impossible to match the brick so that even if we were to go with brick it's not going to present itself in a particularly attractive fashion. Uh, we would like to proceed and, uh, you know, we have you know working from the instructions from Structural Engineer Alicia McCormick, we presented a construction plan for you, and we'd like to take that wall out down to the attic floor and stud it in and do all the other things that might... and have the exterior be of vinyl.

Chairman Wood: Have you considered wood siding for the exterior?

Ms. McGhee: Well, I'll tell you Mr. Wood, obviously as a landlord who has a pretty high maintenance building and is trying to provide clean and safe housing for low-income people, wood is going to present an on-going maintenance expense that I would rather avoid so that I can keep reinvesting into the integrity of the apartments themselves. And I would also suggest, I don't know how much difference its going to make visually since this wall is kind of a hidden segment, it's not strongly presenting itself to the street. I would also point out, the building, it's a terrific building and on the front it's got two, kind- of faux gables that come out and the wall under those gables are not brick, they are a shingle of some kind that you can't reproduce, but it would match what's already going on with the building to a degree.

Chairman Wood: umm hmm

Commissioner Walker: Ms. McGhee I was out there earlier today to take a look and I have seen the photographs when this was presented before and then when they were sent to us again and just from the angle I just couldn't get the, I just thought it would be better if looked.

Ms. McGhee: Yes, it's falling in.

Commissioner Walker: and it is, it is falling in, it's down about 3.5 to 4-feet from the peak of the gable end there.

Ms. McGhee: umm hmm, umm hmm.

Commissioner Walker: and I noticed when I was out there the brick is in good shape on your entire structure.

Ms. McGhee: umm hmm

Commissioner Walker: You've got quite a, you know, a lot of buildings of this age don't have as much going for it as your building does, it's in a pretty good state of repair, good shape for the shape its in, you know.

Ms. McGhee: Thank you

Commissioner Walker: um, the brick is, the brick, even in the upper gable end, even where it has fallen lose from the intended plane, if you will is in good shape. So that's point number one. The second thing I noticed was that all of that brick is laid in Lyme- based mortar, which is very very soft, and it has actually done what it supposed to do. Because the mortar was intended to fail before your brick would fail, if you have hard mortar, then the only thing that there is structurally to fail, is the softer brick. In this case, it has actually worked the way brick and mortar was designed to work, which is if you have a failure, it would be in the mortar joints and would preserve the building materials itself, which in this case is the brick. I guess what I'm getting at is it's actually not that, all that involved a repair to take down the brick, which you have to take down anyway to do what you're proposing, down to the level of the sill, that you see in your second- story windows. From the sill point down, it doesn't look, at least from the outside, as if there is a great failing in that originally intended plane. You have to take the brick down to that level anyway, that brick, because it's in soft mortar will pick up with just the tap of a hammer and you can lay it on your attic floor and re-lay that brick without much effort at all, never even having to take the bricks down the stairs. I think there is another option, um, that is not necessarily as it might seem at the outset.

Ms. McGhee: I tell you what, Keven, you have me at a disadvantage because I am not a construction engineer, all I know is, I want a safe building and I brought Alicia McCormick in some time ago to look at it, as a structural engineer, and tell me what I needed to do to keep that area safe. We are basically following Alicia's recommendations. I can't assess what you're suggesting, because, which actually, I would love to preserve that brick and preserve the integrity of the building, as I know you're interested in. My concern is that if we only take it down partially, clean up the bricks, God willing, it's as easy as you say it's going to be, can we tie it back in? I mean, how do you tie it back in to the new joists that are needed?

Commissioner Walker: The nice thing is, that this is not a veneered brick building, I don't believe, obviously I couldn't get inside, the brick is actually structural in that, when you have a brick building today, you build a building then you incase it in brick. When this building was built, the brick is the building.

Mc. McGhee: I don't believe so, Keven. My understanding was that this is not a structural problem, at this juncture. The roof there is being supported by the other walls and this...

Commissioner Walker: You're correct. Let me continue, up in the gable end, you don't have to have a framing system behind that brick, that brick is free-standing, which is why it's falling in. It wouldn't be able to fall in like it is if it had framing behind it. If you were to take the brick down to the point where it's no longer falling in, take it down to that course, that level where it's still sound, because it's not. You don't have to worry because of where the failing is, it's not like lower in the structure where the brick has to key in to one another at a corner. On the gable end, because it is free-floating, it is as simple as rebuilding it from that course straight up. I would never ever recommend it if you have Portland mortar, which is modern mortar, but you have soft mortar and those bricks will come out, obviously. You can see they are coming out by nature. I'm not a structural engineer, but I also know, a lot of times modern structural engineers, well, when your favorite tool is a hammer, everything looks like a nail, so you have a tendency to do what you are used, you know, something's falling in, tear it down and put something new up. It's not necessarily the case, I think this would actually save you money, it would save the historical integrity of the building, which is what we're concerned with, it would be a safe and viable fix that's going to last another hundred years before someone else has to deal with it, um, and its going to be a lot simpler, more straightforward repair.

Ms. McGhee: I can't assess, I mean what you say sounds wonderful, I can't assess....

Commissioner Clipp: Is there a way you can get back with your engineer and propose something like this so she can look at it from a preservation angle instead of a....

Ms. McGhee: Sure, I mean we can keep this process going for months, it's been months already. I'm sorry Keven, that you didn't mention this at the previous meeting when Mike was here.

Commissioner Gimble: I think we did.

City Planner Tracy Smith: No, we didn't.

Commissioner Clipp: We didn't talk with him, we didn't discuss anything with him because we weren't sure what kind of authority he had to speak on your behalf.

Ms. McGhee: He certainly has the authority to take input and bring it to me. I'm expressing some frustration because we're trying to respect your process here, and its going on and on and Keven is suggesting something that contradicts a very well-respected structural engineer, whom I trust and know. I can certainly pay another couple, two or three hundred dollars to Alicia to come back over and re-visit it, you know, I think there are problems in the interior in creating the joists that are necessary to even tie in that exterior wall to the building, even though it's not a supporting wall, I can't argue because it's not my field.

Commissioner Walker: I understand your frustration. And I don't bring these things up as a point of argument and I don't bring them up at all, either, to delay your process. When I was out there, I met a lovely lady who standing on her porch, and I felt I needed to say hey, the reason I'm looking at the side of the building is because this is coming up tonight, and so, I know there's people involved, you need a safe place.

Ms. McGhee: But maybe, here's what we could do, I mean listen, I really understand the need to preserve and protect the architecture in the historic part of Martinsburg, and truly I'm not trying to be obstructive, but maybe, for the sake of expedience, is there some kind of way, I mean I am happy, particularly, as you suggested it might even be cheaper to do what you're saying, that always is music to my ears, I get back with Alicia, consult with her and see if she feels that this

is a safe route to go. Let's find out if there are not structural reasons that override your suggestions. And if I come up with a letter from Alicia that says she has her doubts about the safety of this approach, um, perhaps, you can then give me permission to proceed with taking the wall down to the attic floor, which would be the next option.

Commissioner Walker: I don't know that this body isn't going to give you that permission, I'm only voicing one opinion, my opinion, in the course of this discussion, I work on these types of projects.

Ms. McGhee: Are you an architect, is that correct?

Commissioner Walker: I'm an architectural historian.

Ms. McGhee: So you're not a trained architect.

Commissioner Walker: no, but I'm Cultural Resources Specialist for the Parks Services and what I do there is work on these types of projects.

Ms. McGhee: Sure, so you're experienced with that kind of early 19<sup>th</sup> century mortar and construction.

Commissioner Walker: Absolutely, and that's the reason I feel comfortable giving you suggestions, I'm not giving them to you off-the-cuff and I really think that, our end-game is historic preservation and the preservation of the historic integrity of our downtown, however this is one instance where I think our end-game and yours can really match and overlay, because I really think that going this direction can be more economically...

Ms. McGhee: Well, listen, if what you're suggesting is the least expensive route for me, I'm really happy to explore that, why would I not?

Commissioner Walker: Anyway, that's fine, that's all I have to say.

Commissioner Clipp: Well, and that would going to be my point too, I was going to ask if there was a way to preserve the brick that is already there?

Commissioner Walker: My guess is that if this brick comes down and they put up, the brick is in such good condition, someone is going to haul that brick off and sell it to someone else that is to build something out of it. The building at one time, historically, had been stained, and probably soon after it was constructed and that's really preserved the brick to a great degree. It was stained and striped which is a really common thing, they were trying to make handmade brick look more fancy, I mean it's really held up well.

Chairman Wood opened the public hearing at 7:27:PM. As no one came forward for or against the request, the public hearing closed at 7:27 PM.

Ms. McGhee: Is there a way we can proceed, and kind of if A then B? I am happy, you know, to try and pursue your suggest, particularly, I have an investment in preserving the architectural integrity, I also have, obviously, a real interest in saving some costs here.

Commissioner Walker: Again, it's just my comments and my suggestion, we haven't...

Ms. McGhee: Well, the suggestion I'm going to make, if others are amendable, I would propose that, and so I don't have to come back in a month, you meet every month?

Commissioner Clipp: umm hmm

Ms. McGhee: Do you know what I mean? This has been going on for so many months. If I can, if Alicia tells me that what you're suggesting is viable, um, I probably would be very happy to do it. Uh, but if she says there are structural reasons why she does not recommend this, uh, and Alicia's got plenty of experience in her own right with historic buildings, and I trust her judgment, but if she says that she doesn't think that it's a safe route to go then I would come back to you and ask for the other option of putting up the vinyl in that space under the gable.

Commissioner Walker: You know, I wasn't inside, if it's not unlike 90% of the brick buildings in the downtown, that's how they're standing, they're freestanding brick ends, so I can't imagine it would be a safety issue.

Ms. McGhee: You know what, as an owner, I'm going to talk to a structural engineer, I mean I have to, for safety.

Commissioner Walker: I understand.

Chairman Wood: Well, I think what she said, we need somebody just to make a motion that if the engineer approves the brick coming down, that she would not need to come back, but if she says no, she would need to come back. Is that correct, Tracy?

Commissioner Clipp Well, Kin, how is that going to play out?

Legal Counsel Kin Sayre: Well, I guess what the motion would be is that if it is the brick option that you all are approving, as far as if the brick option is not viable, then it sounds like she will be back here to discuss the next option, the vinyl option.

Ms. McGhee: Well can we perhaps discuss the vinyl option right now so I don't have to come..so we're not postponing it for month after month.

Mr. Sayre: There's an problem in doing that, in that actually what the board will be doing will be delegating it's authority to your structural engineer to say yay or nay.

Ms. McGhee: Well I think that if the structural engineer expressed doubt about that approach, I don't think you all would override a structural engineer, would you.

Mr. Sayre: I'm not sure that they would then make brick..

Commissioner Clipp: But we have to have the opportunity, though, to talk about that.

Ms. McGhee: Well, then we do that now, can you talk about it now, I mean lets say that Alicia says that she thinks this is an unsound way.

Commissioner Clipp: Well, she's not on the Commission.

Ms. McGhee: But, if she says it's unsound, I don't think you all would...

Commissioner Walker: But then what we could say then, let's follow that out, I understand you are getting frustrated and we're trying to be as helpful as possible. What we could do is we could say that it will be brick on the outside and you go back and tell your structural engineer to make it sound, because that's what she gets paid to do, make it safe, make it sound. We could come back and say that.

Ms. McGhee: Well, at that juncture, if I have to bring the brick down to the attic floor, my costs are going to be just enormous. That just seems to me...

Commissioner Walker: Well I don't...

Ms. McGhee: Well, that seems to me that that would be an undue burden on me.

Commissioner Walker: I can't speak to your costs. Because I don't know, I don't know that, but what I can say to you is that...

Ms. McGhee: Well, I tell you what then let me go ahead and just ask you right now, I am real frustrated, and I don't want to keep coming back to this body, we've been here, what is this the second or third time.

Commissioner Clipp I don't think it's, I mean it was last month..

Commissioner Gimbel No, it was two months ago, she didn't come last month.

Commissioner Clipp: Oh, that's right, you didn't come last month. That's not our fault.

Ms. McGhee: I was told to come this month, so I'm...

Commissioner Walker: why don't we make a motion, why don't, can we do that, can we make a motion and then vote it up or down?

Mr. Sayre: The motion can be made, but what motion?

Commissioner Walker: Well, I guess to be fair to her, we should make the motion that we approve as presented, then see where that goes, maybe she can talk a little more about the vinyl and then we can make that motion, then go from there.

Mr. Sayre: That could be an appropriate step, to bring forth the motion to approve the application as made, then have a vote.

Commissioner Clipp: Ok, well I make a motion that we approve the application as presented.

Commissioner Gimbel: I'll second.

With a unanimous vote of "no," motion was denied.

Mr. Sayre: Mr. Chairman, let me make sure that I understand, the Commission, it is the pleasure of the Commission that the applicant consult with her structural engineer and if the structural engineer, as far as replacing the brick, because its replacing in kind, she doesn't have to come back, if the structural engineer says that the process is not feasible, that she could come back and we will take this matter back up.

Commissioner Walker: I have one more point on that, if, I guess, the only thing that's in question is the exterior siding, the exterior cladding, can we make the motion that the exterior cladding will be brick, like it is now.

Commissioner S. Thompson: But that's not what she is proposing.

Mr. Sayre: If she's replacing what's there now, she never comes to this Commission, it doesn't come back, but my concern is and I think the applicant's concerns is that, when she consults

with her structural engineer., the structural engineer will come back with a report saying it's not feasible to take the brick down to a point, then reinstall the brick, either from a safety or economic standpoint. And I think then, the applicant is wanting the chance, that if that's the case, to come back to this Commission without starting the whole process again. Correct me if I'm wrong.

Ms. McGhee: You're not.

Commissioner Walker: I guess that's what I'm speaking to, do we know that if she comes back, and the structural engineer says, which may be the case, may not be the case, if the structural engineer comes back, she's a reputable engineer, she comes back and says that we can't put brick up in that gable end.

Ms. McGhee: Well, I think it's really a question of what you are suggesting, and you have been suggesting Mr. Walker that it is cost effective, because in your opinion, the brick only needs to be brought down to the level of the sill of the of the windows, so maybe that then is viably economically, but if the engineer says nah, it's got to come all the way down to the attic floor, then replacing it with the existing brick is not an economic argument, you're talking about hundreds and hundreds of bricks, each of which would have to be handled, and chipped at, to get the mortar off and that is like a huge burden to put on me. If you understand. I appreciate your motion.

Mr. Sayre: I don't make motions.

Ms. McGhee: Well, your suggestion, I don't know.

Commissioner Walker: I definitely understand where you're coming from, and none of my comments were meant to be obstructionary in any way.

Ms. McGhee: No, it's the spirit of this, obviously, of this Board that you would like to have the original brick in place, and you know, I would love that too. And if it turns out to be a good option for us, approved by the engineer, and excuse me, I appreciate your opinion, but is not the opinion of either a trained architect or trained structural engineer and I would defer to a higher authority.

Commissioner Walker: I understand

Ms. McGhee: And uh, I'll go back, I'll talk with the engineer, if she says it is not feasible only to bring it down three or four feet, that we have to do X Y and Z, then can I then come back, can we proceed, where are we.

Commissioner Walker: That's fine.

Commissioner Clipp: You can come back, with another proposal, or whatever.

Ms. McGhee: Mr. Walker, if his suggestions become a monstrous financial burden then I will be back asking in fact if I can replace it with vinyl.

Commissioner Clipp: That's exactly the procedure, but if you are going to just replace in kind with that brick.

Ms. McGhee: Well, we'll see, I will be happy to see what Ms. McCormick says.

Commissioner Clipp: It's a possibility that she maybe just didn't even consider that you would to just reuse....

Ms. McGhee: No, I think Alicia is pretty sensitive to historic buildings as I am. And I basically instructed her to, what do we need to do to make this right and safe, and the drawings that Mike came up with are based on the drawings that she gave us. And uh, I'll pursue it farther and if she says wow, you know, you're right, you only have to bring it down two or three feet and I can replace it with itself, I will do that, otherwise I will be back here.

Mr. Sayre: One suggestion, if you talk to her, and she does make the suggestion that it is not feasible to do, if she can do some sort of cost breakdown, that might be helpful for the Commission, because they do look at the economics, if she can do a cost breakdown of doing whatever the brick has to be done versus the...

Ms. McGhee: I'll see, I mean she's not a construction engineer.

Chairman Wood: I will say also the wood

Commissioner Walker: She's not a construction engineer?

Ms. McGhee: She's a structural engineer.

Chairman Wood: I would say also putting wood siding on it, since the other does have wood on it.

Ms. McGhee: Well the other's got these very ornate 19<sup>th</sup> or 20<sup>th</sup> century shingles that I cannot reproduce.

Chairman Wood: Not the same thing, but regular wood, uh, siding.

Ms. McGhee: I understand and you can understand that regular wood does present a maintenance problem that...

Commissioner Clipp: If that comes to that, and you come back before us, then we'll take up that issue.

Ms. McGhee: We'll take up that issue. And believe me I am happy to stay with this beautiful brick that I've got, it's not my intention.

Commissioner Clipp: Yeah, you're really fortunate, that you know that building has the brick that it has.

Ms. McGhee: No, whether we can preserve it just bringing it up two or three feet I'm thrilled with that.

Commissioner Walker: Just one more question, I'm perplexed by the way this is falling in. How long has it been doing that?

Ms. McGhee: For a while, and as you say it's not structurally, the building is not structurally challenged.

Commissioner Walker: So it's something that has been happening slowly.

Ms. McGhee: It's been happening gradually, and you get, you know.



Ms. Smith: And the other side is doing the same thing.

Ms. McGhee: Is it?

Ms. Smith: Yes, the other side, if you walk around the corner and take a look it's starting to do the same thing.

Ms. McGhee: OK good, well then we'll look at them both, believe me, I don't want vinyl up there particularly either in the best of all possible worlds.

Commissioner Walker: It may end up being more expensive.

Ms. McGhee: I hope you're right.

Commissioner Clipp: And it may not, it may be a simple fix.

Commissioner Walker: It would have been a simple fix if taken care of when it first started.

Ms. McGhee: Well, I have to tell you, no body really noticed it. I mean you're not looking, you don't see it, it's hidden on the side of the building and no one's up examining the integrity of the exterior walls. It's not like we noticed this five years ago and just chose not to do anything. It got to a point the pigeons were getting in and we didn't know why the pigeons were getting in and it was like O.O That wall is coming in!

Don ok, thank you for coming..

**2. CASE # HP 082. 221 W. Race Street. Public Hearing.** Application for certificate of appropriateness to paint roof and structure. Steven Sabol, applicant.

Mr. Sabol presented his request to paint the structure. He stated that a friend had put together a pallet of paint colors that would be indicative of the time period.

Discussion included the colors for the house and the roof.

Chairman Wood opened the public hearing at 7:39 PM. As no one came forward for or against the request, the public hearing at 7:39 PM.

Commissioner Clipp moved to present the paint colors as presented. After discussing that the applicant had presented several options, Commissioner Clipp amended her motion to accept all of the colors as proposed, including all of the options with the idea that [the applicant] choose from those options. Commissioner Gimbel seconded the motion, which was followed by a unanimous vote of "aye." Motion carried.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

**1. CASE # HP 11-005. 126/128 N. Queen Street. Public Hearing.** Application for certificate of appropriateness to paint structure. Brenda Casabona, applicant.

Mr. Charlie Casabona presented this request, which he stated had been approved in the past, to paint the façade.

Chairman Wood opened the public hearing at 7:41 PM. As no one came forward for or against the request, the public hearing closed at 7:41 PM.

Commissioner S. Thompson moved to accept this painting proposal. Commissioner seconded the motion which was followed by a unanimous vote of "aye," Motion carried.

**2. CASE # HP 11-008. 116 W. Burke Street. Public Hearing.** Application for certificate of appropriateness to install business sign. Alyssa LeVasseur, applicant.

Ms. Alyssa LeVasseur, store owner, presented this request for a sign. She stated that the sign is a decal which is easily installed and removed.

Chairman Wood opened the public hearing at 7:42 PM. As no one came forward for or against the request, the public hearing closed at 7:42 PM.

Discussion included the color of the lettering, which will be purple with green leaves.

Commissioner Gimbel moved to accept the proposal as submitted. Commissioner Muth seconded the motion, which was followed by a unanimous vote of "aye." Motion carried.

**3. CASE # HP 11-009. 803 W. King Street. Public Hearing.** Application for certificate of appropriateness to install business sign. Home Instead Senior Care, applicant.

Mr. Aaron Blight, business owner, presented this request for a sign in front of the office.

Discussion included the size and construction materials of the sign.

Chairman Wood opened the public hearing at 7:43 PM.

- Ms. Cynthia Baynham spoke in opposition to the request, stating that she is opposed to businesses and their signage in the residential neighborhood.

As no one else came forward for or against the request, the public hearing closed at 7:43 PM.

City Planner Tracy Smith reminded the Commission that they were called to discuss the aesthetics only, as the size and placement of the sign had been approved by the Board of Zoning Appeals and the Planning Commission, and that the zoning is Service Business (BS). She stated that the sign will not be illuminated and will be placed in a flower bed.

Commissioner Clipp moved to approve the sign as presented. Commissioner S. Thompson seconded the motion, which was followed by a unanimous vote of "aye." Motion carried.

**4. CASE # 11-010. 227 N. Maple Avenue. Public Hearing.** Application for certificate of appropriateness to install aluminum gutters and paint structure. David Frey, applicant.

Mr. Timothy Behrman, property owner, presented this request. He requested permission to install aluminum gutters, currently the property has no gutters. Mr. Behrman stated that square aluminum gutters were approved by the National Park Service. He also requested to paint the structure.

The applicant stated that he would like to replace the existing shutters. Further discussion included the paint colors, white for the main structure, green for the main trim and dusty red for smaller details and that the home is a single family residence.

Chairman Wood opened the public hearing at 7:47 PM. As no one came forward for or against the request, the public hearing closed at 7:47PM.

Commissioner Gimbel moved to accept the green paint for shutters as proposed. Commissioner Clipp seconded the motion, which was followed by a unanimous vote of "aye." Motion carried.

Commissioner Clipp moved to approve the K-style gutters as presented. Commissioner Gimbel seconded the motion which was followed by a unanimous vote of "no." Motion denied.

Commissioner Gimbel moved to approve half-round gutters. Commissioner N. Thompson seconded the motion which was followed by a unanimous vote of "aye." Motion carried.

**5. CASE # 11-011. 109 N. Queen Street. Public Hearing.** Application for certificate of appropriateness to install business sign. Regina Graber, applicant.

No one was available to present this request.

## **OTHER BUSINESS**

### **Election of Officers**

None


## **DISCUSSION ITEM(S)**

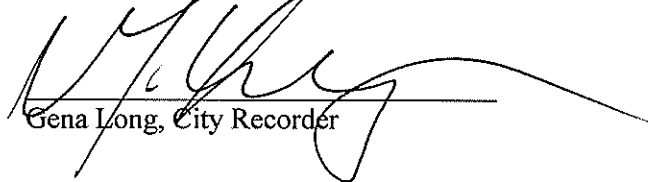
### **1. Next regular meeting scheduled for March 07, 2011**

All members present acknowledged the meeting date and none indicated they would be unable to be present.

## **ADJOURNMENT**

Commissioner Clipp made the motion to adjourn. Commissioner S. Thompson seconded the motion, which was followed by a unanimous vote of "aye." Meeting adjourned at 7:57 PM.

  
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Don Wood, Chairperson

  
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Gena Long, City Recorder