

**REPORT OF THE COMMITTEE ON FINANCIAL HARDSHIP
OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**Wayne S. Spilove, Chair
Commission Conference Room, One Parkway, 18th Fl., 1515 Arch St.
21 July 1999**

Present

Wayne S. Spilove, Chair
Ernest Leonardo, Philadelphia City Planning Commission
Robert Thomas
Scott Wilds, Assistant Director for Housing, Office of Housing and Community Development

Elizabeth Harvey, Historic Preservation Planner
R. Scott Jacob, Executive Secretary
Laura Spina, Historic Preservation Planner
Richard Tyler, Historic Preservation Officer

Mark Zecca, Esq., Deputy City Solicitor

Also

Richard Sprague, Esq., Sprague & Sprague
Geoffrey Johnson, Esq., Sprague & Sprague
Geoffrey Jarvis, Esq., Sprague & Sprague
George O'Connell, Esq., Barbin and O'Connell, P.C.
Elizabeth Merriam
Robert Lockeyes
Kathleen O'Connell
David Donaldson
Deena Schneider, Esquire., Schnader Harrison Segal & Lewis, LLP
Jack Panitch, Esquire, Deputy City Solicitor
Doris Pechkerow, Esquire, City of Philadelphia Law Department
Jon Cabin
Pearl Cappel
Thomas Kane
Maevernon Varnum, Art Defense League
Mina Smith Segal
Colenn Ceponis
Janet Potter, Foundation for Architecture
Lawrence Cutler, National Museum of American Illustration
Judy Cutler
Thomas Nickels, Coalition for Philadelphia Art
Victor Wiener
Penny Bach, Fairmount Park Art Association (FPAA)
Laura Griffith, FPAA
Jennifer Darr, Philadelphia City Paper
Patricia Aden, Preservation Alliance
Aliko Strakes, Preservation Alliance
Stephan Salisbury, Philadelphia Inquirer
Dana Hergey
Joseph Hetrick

Mr. Spilove recognized a quorum and called the meeting of the Committee on Financial

Hardship to order at 2:00 P.M.

Dream Garden Mosaic Mural, Curtis Building Lobby, 170 South Independence Mall West

Estate of John W. Merriam, Applicant

DATE: 1914-1916

PROPOSAL: Removal

Attorneys for the applicant were present.

Mr. Tyler explained the function of the Committee on Financial hardship as an advisory body to the full Historical Commission. He announced the dates for a second meeting of this Committee and a Special Meeting of the Commission regarding the financial hardship claim by the Estate of John W. Merriam to remove *Dream Garden* from the lobby of the Curtis Building.

Richard Sprague, Esquire, attorney for the applicant, asked that the Commission reschedule the second Committee meeting so that he can attend, as desired by his client. He explained that a planned vacation prohibits him from attending a meeting on 17 August 1999, and asked that it be rescheduled for after 21 August 1999. Counsel for the Commission stated that the meetings were set up according to the availability of the members of the Committee as well as attorneys for the applicant. Mr. Sprague maintained that he wants the dates changed so that he can attend all of the meetings. The Committee agreed to make every effort to reschedule the meetings to accommodate Mr. Sprague's absence.

Mr. Sprague also requested that written statements and resumes of the consultants be made available to counsel for the Estate at least seven days prior to the meetings at which the statements are heard.

The Estate introduced the following witnesses: George P. O'Connell, Esq., counsel for the applicant, and Victor Wiener, an art appraiser. Their written statements, Mr. Wiener's resume and transcripts of their remarks are attached.

Mr. Tyler stated that the Preservation Alliance and The Fairmount Park Art Association wish to present statements at a later date concerning the sale and removal of the *Dream Garden* mosaic mural from the lobby of the Curtis Building. Representatives from both organization were present, but had to leave the meeting prior to the conclusion of Mr. Wiener's testimony.

The meeting adjourned at 7:20 P.M., when only one member of the Committee, Mr. Wilds, remained owing to the late hour. The Estate objected to proceeding on that basis.

Respectfully submitted,

R. Scott Jacob
Executive Secretary