

MINUTES

CAPITOL COMMISSION MEETING September 9, 2004

1. WELCOME

Chairman Douglas Henry called the meeting to order at 11:01 a.m. Following roll call, he noted that a quorum was present with the following members in attendance.

Members Present

Senator Douglas Henry
Representative Ben West
Comptroller John Morgan
Secretary of State Riley Darnell
State Treasurer Dale Sims
Commissioner Dave Goetz
Paula McCord
Judy Danner
Randall Jones (designee for Commissioner Gwendolyn Davis)
Tim Schwarz (designee for Commissioner Betsy Child)

Members Absent

Norman Hill
Ray Bell

Others Present

Mike Fitts, State Architect
Georgia Martin, Department of Finance and Administration
Thad Watkins, Department of General Services
Kelly Brown, Department of General Services
Ken Scaif, Department of Finance and Administration
Jim Hoobler, Tennessee State Museum
Judy Ladd, Department of General Services
Charles Harrison, Comptroller's Office
Jerry Adams, Department of Finance and Administration
Jerry Lee, Department of Finance and Administration
Mike Morrow, Department of Finance and Administration
H.E. Farmer, citizen
Kem Hinton, Tuck-Hinton Architects

2. **MINUTES**

A motion was made and properly seconded to approve the Minutes from the November 5, 2003 meeting.

3. **OLD BUSINESS**

• **Installation of 14th Amendment Sculpture**

Mike Fitts reported that the sculpture, which mirrors the 19th Amendment, has been installed on the Second Floor of the Capitol.

• **Smoking Ban in Capitol**

Mr. Fitts reported that the smoking ban in the Capitol has been implemented, a designated smoking room has been installed on the Ground Floor, and there appears to be no complaints as of this date.

• **Puryear Mims Plaques**

Mr. Fitts reported that the Puryear Mims plaques, identifying the four sculptures adjacent to the Cordell Hull State Office Building, have been installed.

• **Capitol Renovations**

Mr. Fitts reported that they are proceeding with the renovation, including new carpets, cornices & draperies, painting and cleaning of the walls on the Second Floor. Senator Henry asked if everything was going to be restored. Mr. Fitts replied that the major work of cleaning the walls and carpet replacement in the House and Senate Chambers have been completed and they are proceeding with drapery and cornice replacement. He added that the recommendation of the replacement of the desks to ones similar to the originals is not being considered as well as the substitution of one large chandelier for the existing four in the House Chamber. Senator Henry questioned the proposed gasolier on the Second Floor. Mr. Fitts said that it is not intended to revert to a gasolier. Jim Hoobler said the light in the Senate was originally a gasolier. Senator Henry asked if more rooms were going to be restored. Mr. Fitts responded that the Clerks' offices, chair rails and recarpeting of ceremonial offices were going to be done. Secretary of State Darnell asked that any scraps of carpet be put in his office.

• **Security Improvements**

The Commission inquired about the status of the project. Mr. Fitts responded that he thought it was bogged down because of the need for another security station. Discussion ensued regarding security in the Plaza. Randall Jones said the Department of General Services was ready to open the door to the tunnel whenever the Department of Safety mans the station. Senator Henry looked to Commissioner Goetz to find out what needs to be done to open the bronze tunnel doors.

• **War Memorial Plaza Project**

Mr. Fitts reported that the project is currently on schedule. Representative West asked for a completion date, and Mr. Fitts replied that there are two completion date: the first one being January 1 when the facility should be water-tight; and the second one will be next summer when the stones and trees are installed. Senator Henry expressed concern regarding the flat roof and returning fountains possibly causing leaks again. Mr. Fitts stated that, hopefully, the new materials will last 30 years before needing repairs. Mr. Fitts then reported he has done some research to deal with the slippery pavers on the Plaza. He said that to flame-finish all the pink pavers would cost approximately \$225,000. Another

process involves an application process that would be less expensive but would need to be repeated every 2-3 years. Secretary of State Darnell suggested doing just a "pathway", or possibly rearranging the pavers so that the less slippery gray stones created a pathway. Senator Henry said he thought it would be worthwhile to postpone the final completion date in order to correct this problem.

4. NEW BUSINESS

- **Review Policies and Procedures for Use of the Capitol**

Thad Watkins began a discussion regarding a review of the policy for use of the Capitol. He said it's been unclear that, while the Capitol is generally not used for weddings, it has been permitted. Senator Henry commented that the ones that have been permitted have been for public officials. Mr. Watkins reported that a number of the members objected to a recent request for a reception championed by a legislator and, after consultation, he decided to discuss the matter with the Capitol Commission as soon as possible. Subsequent to the request, they had another one pending. He said the question is "does the Capitol Commission want to adopt a specific policy regarding these requests?". Treasurer Sims asked if, when they were presented with a request, were they being asked to make an exception or were they being told that it is consistent with the policy. Mr. Watkins stated that the Capitol Commission could interpret weddings as "cultural". He said that it has not been put out as an exception, but borders on the unusual.

In response to a question regarding costs charged to users, Kelly Brown said that the costs charged tend to be mostly for security. Commissioner Goetz asked about other events and Ms. Brown responded that if they fall within working hours, there is usually no fee. Commissioner Goetz asked about janitorial costs and Ms. Brown responded that the users usually clean up, or are charged the cost. Judy Ladd stated that they provide janitorial services for the Tennessee Waltz, but its cost is borne by the State Museum.

Senator Henry said he would like to prohibit weddings and then they can resist the political pressures. Commissioner Goetz made a motion to prohibit weddings and receptions in the Capitol, and Secretary of State Darnell seconded the motion. Secretary of State Darnell asked if they were making an exception for the one that was approved, or only prohibiting from this time forward. He said the members don't need to be notified of an exception, but it would need to come before the full Commission. Treasurer Sims revised the motion to include the exception of those already accepted. All voted "aye". He said that the staff will handle all requests with the understanding that the policy prohibits this kind of activity.

Randall Jones requested that the Department of General Services be allowed to recoup all expenses involving the May 2005 reception that has been previously approved. Secretary of State Darnell said that the users needed to be notified of such costs. Judy Ladd asked if the space would be used as is because it is her responsibility to have the space in its original condition on the following Monday. Mr. Watkins stated that the users will need to coordinate with Ms. Ladd regarding that issue. Mr. Brown noted that they don't have State employees to supervise the handling of artifacts, etc., only to provide the guards for security. She said this applies to all functions. Secretary of State Darnell said that there was a lot going on in the Supreme Court Chambers that he was not sure had gone through the proper process. Mr. Watkins stated that some activities can be construed as governmental; weddings will not be allowed and, when they are borderline, he will call the Chairman to consult. Treasurer Sims asked if they would know if it was borderline. He said he would like to see some kind of comment with the request that this is, or is not, consistent with the policy. Staff agreed to comply with Treasurer Sims' suggestion.

Regarding the serving of alcoholic beverages, Mr. Watkins said he wasn't aware of any legal prohibition. Treasurer Sims asked if they had a policy where food and drink is allowed. Mr. Hoobler said it was his understanding that they have banned all food and beverages in the Chambers, Legislative Library and anywhere there is carpet as it can cause insect damage to the carpets. He added that the Waltz is held in the hallway, and no red wine is served. Treasurer Sims said he didn't think it came through very clearly in the policy that food is not allowed in carpeted areas. He added that

there should be consistency with government and public use. Mr. Watkins said he was comfortable with restricting events to certain areas. The Commission agreed that the policy should remain the same.

- **Request to Allow American Flag Be Flown Over WWII Memorial**

Mr. Fitts informed the Commission that, in the design of the World War II Memorial, there was discussion regarding the placement of a flagpole. Mr. H.E. Farmer was recognized who thanked the Commission for the opportunity to speak in favor of allowing an American flag be flown over the WWII Memorial. He stated that, in all of his visits to other WWII memorials, he has yet to see one without an American flag. Senator Henry stated that the WWII Memorial was devised by a committee that included General Enoch Stephenson and other WWII heroes, and it was their recommendation that there not be a flag.

Architect Kem Hinton was asked to speak on the matter. Mr. Hinton stated it was an honor to work with veterans like Mr. Farmer on this project. He said that there had been some spirited discussions involving this sensitive issue and that the decision was a collaborative effort. Mr. Hinton said he had spoken with members of their committee. The American flag is engraved in the final panel, and the committee accepted that. As to the question if a flag could be added, he replied, "yes, if done right". Secretary of State Darnell asked if there was a way to design it so it does not conflict with the design itself, and do we run the risk of not having a good fit. Mr. Hinton said he could look into it if this Commission would like him to. Mr. Farmer thanked Mr. Hinton, and mentioned that the flag is supposed to fly over the object.

Secretary of State Darnell suggested that they ask Mr. Hinton to look into the possibility of a flag at the Memorial and report back of a proper fit after the Memorial is designed. If it does work, then a decision will be made based on that. Comptroller Morgan seconded the motion. Treasurer Sims asked if the motion included cost and appropriate materials. Randall Jones asked if they do a 48-star flag it will mean keeping a stock-pile of those particular flags. The Commission then asked Mr. Hinton to look into the possibility of a flag in accordance with Secretary of State Darnell's suggestion.

- **Placement of Blue Star Memorial Marker by Pulaski Garden Club**

Mr. Fitts stated that no one from the Pulaski Garden Club was available to speak to their request and, consequently, the matter was deferred.

- **Summary of Capitol Commission Approvals for 2004**

The Commission acknowledged the list of their approvals for the year.

5. **OTHER BUSINESS**

There being no other business, the meeting adjourned at 12:08 p.m.