

**MINUTES**  
**STATE CAPITOL COMMISSION**  
**May 15, 2013**

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**1. INTRODUCTIONS / ROLL CALL**

Chairman Emkes called the meeting to order at 10:02 a.m. State Architect Bob Oglesby called the roll and denoted a quorum with the following members in attendance:

- Chairman Mark Emkes
- Treasurer David Lillard, represented by Joy Harris
- Secretary of State Tre Hargett, represented by Jonathan Rummel
- Comptroller Justin Wilson (arrived late)
- Commissioner Steve Cates, represented by Reen Baskin
- Commissioner Bob Martineau
- Senator Jack Johnson
- Representative Gerald McCormick
- Norman Hill
- Howard Gentry
- Judy Danner (absent)
- Helen Haskins (absent)

**2. APPROVAL OF MINUTES FROM THE APRIL 23, 2012 MEETING**

The Minutes were approved as presented.

**3. NEW BUSINESS**

**A. Revisions / Additions to Policies, Procedures & Rules**

**i. Request by Whitehardt, Inc. to film in the Capitol**

Thad Watkins, General Counsel, advised that the request by Whitehardt, Inc., while withdrawn, was for shooting a commercial for an attorney in Buffalo, New York. Representative McCormick asked, for future reference, if there was a precedent for doing this, and Mr. Watkins replied that he couldn't recall any ads being shot in the Capitol. The Commission discussed how they could control allowing some ads to be filmed and not others. Commissioner Martineau mentioned that several State properties have been used in movies and television programs, including the Capitol, old State prison and Fall Creek Falls State Park. Chairman Emkes asked if they should ask Staff to set up some guidelines. Mr. Watkins advised that part of General Services' responsibility to the Capitol and other State buildings is to prohibit solicitations, which could be relied upon rather than the Capitol Commission. Norman Hill voiced his concern over the impression that the Capitol was for sale. He said he was not in favor of making a rule and would prefer to manage it as it is because then you have to make amendments to the rules. Howard Gentry brought up the situation where a person takes a photo of the Capitol from the street and uses it in an ad. He said since they have no control over that situation, they need to be careful or else the Legislature or some other body will have to deal with everything. Chairman Emkes summarized that the process would be left as it is and, in the future, if Staff felt the need for a request to be brought to the Commission's attention, they would decide on that matter.

## **ii. Wedding in the Capitol**

Thad Watkins reminded the Commission that there was a policy not to permit weddings or wedding receptions in the State Capitol unless there was a good reason or unusual circumstances to make an exception. He said that the overwhelming majority of requests, when told about the policy, accept it and move on. Chairman Emkes asked if they needed to discuss this particular request by Vic Donoho or the general policy. Mr. Watkins responded that no member voted to deny this particular request, but the meeting provided an opportunity for them to discuss the policy. Reen Baskin discussed the Department of General Services' responsibility for maintaining the Capitol, emphasizing that it is a working Capitol building. She stated that having more weddings would increase maintenance costs and potential damage to the building. As an alternative, she knew of brides using the War Memorial Building for their wedding receptions and taking photos in front of the Capitol. Norman Hill suggested limiting the number of wedding exceptions to be allowed during a period of time. Commissioner Martineau stated that a fee should be charged similar to those charged by other venues. Mr. Watkins confirmed that that was already in place.

Mr. Watkins stated that no action was needed; that they have a basic policy in place. He added that the Department of Safety had adopted a new set of security measures that might make weddings less accessible or desirable, and that they will continue to look at that issue.

## **iii. Use of War Memorial Plaza and Courtyard**

Mr. Watkins updated the Commission that, as a result of Occupy Nashville, the Legislature had adopted a strict "no camping" law that was promulgated in their rules under Procedures for Use of the Tennessee War Memorial Plaza and Courtyard.

## **B. Jurisdiction / Authority of Geographic Boundaries**

State Architect Bob Oglesby stated there had been some confusion about the geographic boundaries under the jurisdiction and authority of the Capitol Commission and Staff was looking for clarity moving forward on future requests to the Commission. He said they were proposing that the grounds be identified as "Contiguous Grounds" (P4 Power-Plenary Preservation Planning & Programming) and "Adjacent Grounds" (CAR Power – Consulting, Advisory and Recommendatory) and that projects on both grounds are subject to the approval of the State Building Commission. He said that while the Department of Environment and Conservation has oversight of the Bicentennial Mall as a State park, the authority of the Commission was expanded to include addressing the placement of historical markers and monuments on the Mall. Mr. Oglesby stated it was not a "hard" document and was open to change at any time. A motion was made and properly seconded, to approve the recommended jurisdiction and authority of the geographic boundaries (attached), and it passed without objection.

## **C. Briefing on Capital Projects**

### **i. Memorial & Monuments Master Planning**

Mr. Oglesby said he would like to recommend expanding the role of the Capitol Hill landscaping consultant to include a plan for things such as use of appropriate materials, proper scale and priorities of monuments and memorials including those on War Memorial Plaza and Capitol Hill. He said that money has been appropriated in the capital budget amendment and suggested the formulation of a group to discuss ongoing processes and report back to the Commission for their consideration. Norman Hill requested that the plans consider those historians in the community for which the monuments have historic significance and that the communities that are asked are involved. Representative McCormick commented that not many people know

who Mr. Carmack was, who is displayed prominently on the grounds, but everyone knows who Davy Crockett was, and who is not on the grounds. It was requested that the plan address inside the Capitol as well. The Commission acknowledged that Staff would come back to them with a plan.

## **ii. Projects on Contiguous Grounds**

Peter Heimbach, Department of General Services, updated the Commission on capital projects approved by the Legislature this year as well as ongoing projects and their status. He stated that the Capitol Hill Landscaping Master Plan (attached) involves both the contiguous and adjacent grounds and funds have been appropriated in the capital budget. He said all the items would be worked on except #1, the Charlotte Avenue sidewalk area, due to other future plans on the Charlotte Avenue side. Additionally, he stated that the Guard House on Eakin Weakley Drive did not provide a stopping point and a request was made to move it to a median allowing a bypass lane. The bollards would remain in place, but there would be additional measures to better accommodate those visiting the Capitol. He said the new guard house will also include restroom facilities. The Commission voiced their approval of the proposed changes and also suggested that the windows be bullet resistant. Mr. Heimbach gave an update regarding the Cupola Renovation & Lighting. He said that, after further discussions with Homeland Security and the Department of Safety, white lights on the ground work better for security purposes. He said they were continuing their review of switching to LED lights to change colors above the roof eave line and/or in the cupola and will bring their recommendation back to the Commission once a decision is made.

## **iii. Projects on Adjacent Grounds**

Regarding the Cordell Hull and Central Services Decommissioning, Mr. Heimbach stated that the plan is to no longer use those buildings by State employees. He said that the buildings would be decommissioned, demolished and left as green space with the intention of adding the green space to the Capitol Hill Landscaping Master Plan. He said that, since this project is located on the adjacent grounds, comments or recommendations by the Capitol Commission were welcome.

He advised that funding had been appropriated for the continuing design of the relocation of the Library & Archives that will be reviewed to make sure they are doing the right thing by using the tax payers' money in the most responsible fashion.

Mr. Heimbach stated that funding has been appropriated to review the program on the State Museum that was last done in 2005-2007. He stated that there is ongoing work at the Data Center but that efforts are underway for the relocation of the facility, which sits on the new State Museum site. Upon questioning, he responded that the earliest that a State Museum could break ground would be in 10-12 years. Howard Gentry stated that he had heard discussions of a new State Museum over the years and asked if the timeline could be moved up any earlier. Mr. Heimbach replied that, if everything moved perfectly and they had a plan to move the Data Center, a new Data Center would have to be up and running before the existing one was demolished. Other factors involve obtaining funding from the State and Legislative budget cycles, design and construction of the new Data Center, and receipt of private donations as a portion of the funding. Mr. Gentry expressed concern that that time frame could very easily span two Administrations. Chairman Emkes commented that this was the first time in a number of years that there has been serious discussion about the State Museum. Granted, during the recession, the State had to focus on just surviving, but he thought they were now headed in a good direction, and there are processes that have to be followed. Senator Johnson asked if the Governor was going to appoint a task force. Mr. Heimbach said he thought it was in process, but not completed.

Bob Oglesby directed their attention to the map and property north of Jefferson Street. He advised that it was not State property but it impacts the view shed from the Capitol to the north. He

said there were discussions ongoing between the Departments of Environment and Conservation and General Services regarding the value of controlling use of that property. Chairman Emkes commented that he thought it was appropriate to consider addressing such a concern.

#### **4. OTHER BUSINESS**

##### **A. Soul Food Festival**

Thad Watkins brought up from the floor a request for the 8th Annual Soul Food Festival to use the premises on the Capitol grounds for their event scheduled to be held in August. He said there were concerns about having two events occurring in close proximity at the same time and day and the matter was still being discussed. Other issues of concern included street closures and potential turf damage. Representative Brenda Gilmore was recognized and introduced CEO Patrick Williams. She stated that they were still in the beginning stages of approval. She added that this Festival has been a major tourist attraction in Nashville for several years and has the strong endorsement of the Nashville Visitors and Convention Bureau. Chairman Emkes said that they love visitors, tourists and tax revenues, but there are some issues that require looking into. Patrick Williams was recognized and stated that they are a professional organization and believe in adhering to rules and regulations. Furthermore, they cater to the 35-65 demographic and have a history of professionalism. Chairman Emkes congratulated him on his success and thanked him for attending the meeting.

##### **B. Busts in the Capitol**

Representative McCormick brought up a discussion regarding busts in the Capitol and the niche that has remained empty for several years. Jim Hoobler, Museum Curator, was recognized and gave a brief history of the placement of the busts. He referenced the action by the Capitol Commission on May 11, 2009 to have the busts of Andrew Jackson and James K. Polk, both Presidents and done by the same artist, remain at the entrance of the House Chambers, and a new bust of James K. Polk be commissioned to fill the vacant niche once it was economically feasible. Mr. Hoobler suggested a bust of Davy Crockett be commissioned for the east niche outside the House chamber stating he is one of the most famous Tennesseans and was a Whig, which would balance the two busts politically—one Democrat (Johnson) and one Whig/Republican (Crockett). He advised that the process has been for the Legislature to appropriate funds to the Tennessee Arts Commission or the Tennessee State Museum Commission for a competition to design and fund the casting of the bust. Comptroller Wilson suggested that Chairman Emkes and Representative McCormick come up with a recommendation. In the short-term, the empty niche would be filled with another available bust.

There being no further business, the meeting adjourned at 11:15 a.m.

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# OVERALL MASTER PLAN

## INDIVIDUAL PLAN ELEMENTS

- 1 - Charlotte Sidewalks
- 2 - 6th Avenue Upper Steps
- 3 - Granite Cobbles around Capitol
- 4 - Upper Belvedere
- 5 - Grand Steps
- 6 - James Robertson Steps
- 7 - Lower Curved Steps
- 8 - Jackson Garden Limestone Pavers

## OVERALL PLAN ELEMENTS

- 9 - Landscape Plan
- 10 - Irrigation Limits
- 11 - Lighting Plan

