

MINUTES
Capitol Commission Meeting
April 11, 2002

1. Welcome and Introductions

Senator Henry called the meeting to order at 11:05 a.m. Roll call was taken and a quorum established with the following members in attendance:

Members present:

Senator Doug Henry (Chairman)
Commissioner C. Warren Neel
Comptroller John Morgan
Secretary of State Riley Darnell
Treasurer Steve Adams
Commissioner Ed Jones
Ward DeWitt, Jr.
Paula McCord.

Others present:

Mike Fitts
Georgia Martin
Elsie C. Smith
Ken Scalf
Charles Harrison
Jim Hoobler
Lois Riggins-Ezzell
Evadine McMahan
Steve Greil
Dennis Bottorff
Martha Ingram
Hank Hildebrand
Kem Hinton

Members absent:

Representative Ben West
Commissioner Milton Hamilton
Michele Frazier

2. Minutes

Minutes from the meeting held on May 7, 1999 were approved as mailed.

3. Old Business

Mike Fitts reported that the Fraternal Order of Police and the Merchant Marines had installed respective memorials on the War Memorial Plaza.

4. Usage of War Memorial Court of Honor

Steven Greil was recognized. He said that three years ago the State Building Commission agreed to allow TPAC to manage the War Memorial Auditorium for the State when the Department of General Services asked them to take over the building. He said they have operated it minimally and have used it mostly for State functions. He said they lose money every year and only get out-of-pocket reimbursement for State use. He said they came up with a plan with State Architect Mike Fitts to make better use of the facility whereby they removed the permanent chairs from the floor and brought in new portable seats, as well as refinished the floor. Mr. Greil said they can seat about 1700 people or have a dinner for 400, and they have a policy that they would not take on businesses that would allow the building to be damaged. He said they found that they had to go to Department of General Services to get separate permits for use of the courtyard which causes delays and confusion. He said he was not asking for anything from the Capitol Commission at this time, but their long range plan calls for improvements to TPAC and calls for the War Memorial to be brought back up to standards. He said that he hoped someday to enclose the atrium, and displayed an architectural rendering of an improved Court of Honor. Senator Henry commented that the Court of Honor is a space memorializing soldiers who died, and is a place of respect and repose. Mr. Greil responded that they would only treat that space as a place of reverence. He added that the two issues were: 1) the jurisdiction issue as to scheduling, and 2) application for ABC permits. He said they would like to expand their current license to include the War Memorial which would allow them to use it without having to get a new permit every time. He said they were asking for scheduling, not jurisdiction. Senator Henry asked Mr. Greil if his proposal related only to the Auditorium and Court of Honor, and Mr. Greil responded "yes". Senator Henry said that the Act of 1923 allows for veterans use of the facility. Ward DeWitt asked Mr. Greil about the roof and if the statue would remain. Mr. Greil replied that the roof was a dream, and the statue would remain. Treasurer Adams discussed the issue of scheduling and asked what kinds of things the Court has been used for. Mr. Greil responded that the State Museum uses it several times a year and there is an occasional use for veterans ceremonies. He added that they would never impede access for State employees since most functions are scheduled on nights and weekends. Treasurer Adams stated his concerns about the State being allowed to get on the schedule and asked Mr. Greil if he foresaw any problems. Mr. Greil responded that he saw no problems with any agency of government wanting to use a TPAC facility and their guidelines are publicized. Mr.

Greil added that he didn't think there would be a problem for any State use. Treasurer Adams asked if it was possible that they could look at it for a time specific and then evaluate later. He said he thought they had done good things for the War Memorial Auditorium and that they were the rights ones to operate it. Mr. Greil stated that there could be a three-way agreement such that either party could give the other a one year's notice. Mr. DeWitt brought up usage of the Court of Honor by the book festival. Mr. Greil responded that those events needed the bathroom in the War Memorial Auditorium and they work with them every year. Commissioner Jones commented that he did not have any problem with TPAC doing scheduling that Mr. Greil had made a good point with the duplication of permitting. He said his concern would be access—people being able to walk through and he would want a priority given to State scheduling. Mr. Greil said they were not asking to be the scheduler for the Plaza, but would be happy to do so. Senator Henry commented that, a few years ago, there were concerns about certain groups using the War Memorial Auditorium and Court of Honor. Mr. Greil commented that they make all users fill out an application and list references. He said that it borders on censorship so they have to be careful.

TPAC Foundation members Martha Ingram, Denny Bottorff, and their attorney, Hank Hildebrand, were acknowledged. Denny Bottorff was recognized and stated that, any time you have a situation where there is a lot of history, it involves different perspectives. He asked how do they get a dialogue going that optimizes usage of this particular space. He said use of the War Memorial Auditorium is restricted unless you tie in the usage of the courtyard. Treasurer Adams suggested that Mike Fitts, Ed Jones, Steven Greil and Lois Riggins-Ezzell get together and discuss these issues to make sure they haven't missed anything. He said they should look through the documents and see what limitations are placed on War Memorial Building. State Architect Mike Fitts was called upon and stated his main interest was to protect the integrity of the space architecturally. He said he was concerned about how a roof would be incorporated over the courtyard. After discussion, Senator Henry designated Elsie Smith as committee chair, along with Mike Fitts, Ed Jones, Steven Greil, Lois Riggins-Ezzell, representatives of the legions of VFW, Connie Frederick, and Ann Toplavich, as a committee to draft up an appropriate document for consideration by the Commission in reference to the discussion initiated by TPAC.

2. Bicentennial Mall Guidelines

Mike Fitts recommended that the Commission adopt the draft guidelines as developed by their consultant, Kem Hinton, and live with them for a period of time and then reevaluate later to see if they need to be modified. Mr. Hinton was recognized and acknowledged all the parties involved in preparation of the document. He said this guideline extends and includes the Capitol grounds and provides a framework of the evolution that is expected. After discussion, the Commission adopted the guidelines as presented. Mr. Fitts added that, when the State's budget was in better shape, he would like to suggest that the guidelines be extended to include the interior spaces of the Capitol.

3. Poem - "Who We Are"

Mr. Fitts stated that the Commission had received a letter suggesting that the official Bicentennial Mall Poem be incorporated on the Bicentennial Mall. He said they could utilize this request as their first test of the guidelines. He added that they have a letter at this time and no funding had yet been proposed. Mr. Hinton was recognized and stated that it was a long poem and the lettering would need to be legible. Upon motion by Treasurer Adams, the Commission referred the matter to staff for review and recommendation.

4. Medal of Honor

Mr. Fitts stated that they had received a letter from Joel Rogers proposing a monument/marker inscribing the names of all Medal of Honor recipients born in Tennessee be placed in the State Capitol. Secretary Darnell asked if they normally have the Legislature telling the Commission to do this kind of thing, and what would they do about the cost as and they don't have any funds. Mr. Fitts said they had no specific available funds for this purpose and they could work with the proposal to come up with a concept to address the request. Treasurer Adams said it seemed to him that they ought to look at something broader and he was not sure it ought to be in the State Capitol. Mr. Fitts stated that he had discussed the issue with Mr. Rogers, and had suggested the War Memorial Plaza as an alternative location. Senator Henry asked if it would fit in the guidelines. Mr. Fitts stated that they do not have guidelines for the interior of the Capitol, but the proposal would fit the Capitol guidelines for location on the Capitol grounds. Senator Henry said he thought the people who deserved this medal should be located in an appropriate

and significant location, and not in an obscure one. After discussion, Senator Henry directed the staff to study the request and report back.

5. Driving Tour Brochure

Acknowledged receipt of notification; no action required.

6. Use of Old Supreme Court Chambers for Political Announcements

Ward DeWitt stated that he didn't believe that political announcements fit in the guidelines. He said he thought he was a minority of one. Elsie Smith said their standard procedures say its use has to be educational, cultural or civic. Mr. DeWitt commented that he supposed anything could fall into one of those three categories. Treasurer Adams state that they can't deny the political realities of where they are. He said they should consider if there was an opportunity to do harm to the facilities, and was it unreasonable that a government space be used to do that. He said he doesn't like it when they come in unannounced with film crews. Commissioner Neel asked how big a problem it was. Ms. Smith stated that only one candidate asked permission and all the others did not. She said if it is non-governmental use, then it is up to the Capitol Commission to decide. Secretary Darnell said he was concerned about some of these issues, but he would like for the Commission to look it over and digest. Ms. Smith said they put together their "Procedures for Use of Public Areas - Tennessee State Capitol" as a response to the September 11 events because it was addressed toward security. She said there is a small area that involves the Capitol Commission. Mr. Fitts said that all of the areas of the Capitol need to be addressed by the Capitol Commission concerning non-governmental use. After discussion, no action was taken.

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There being no further business, the meeting adjourned at 12:05 p.m.