

MINUTES OF THE MEETING
OF THE STATE CAPITOL COMMISSION
JULY 23, 1993

MEMBERS PRESENT

Amon Carter Evans, Senator Douglas Henry, Representative John Bragg, Commissioner David Manning, Comptroller William Snodgrass, Treasurer Steve Adams, Secretary Riley Darnell, Commissioner William Whitson, and Dr. Robert Corlew

OTHERS PRESENT

Mike Fitts, Lois Riggins-Ezzell, Charles Harrison, Mark Wood, Dancy Jones, John Morgan, Jerry Preston, Kem Hinton, Charles Warterfield, Ed Belbusti, Sandra Duncan, David Johnson, and Georgia Gaye

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Chairman Amon Evans called the meeting to order at 3:05 p.m. and referred to the first item on the agenda, presentation of the Bicentennial Mall.

BICENTENNIAL MALL

Kem Hinton introduced Charlie Warterfield and David Johnson of the design team and then proceeded with the slide presentation. Mr. Warterfield interjected to say that complete restoration of the Capitol grounds to include the original north wall would be impractical and expensive due to the dramatic change in topography over time and would involve complete removal of the trees. He stated that the plans recommended by John Mesick called for renovating the south, east and west sides only.

Senator Henry asked about the Data Center being a temporary building. Commissioner Manning said it was constructed during the Alexander administration and, if it had been done today, it would have been located elsewhere. Secretary Darnell stated if the land use around the development is not protected, it will fail. He said the safety issue and Farmers Market issue will have an impact. Senator Henry asked what happened to the East Nashville site. Secretary Darnell said the proposed move to East Nashville was defeated because of the poor operation of the existing market as relates to vermin and cleanliness. Sandra Duncan said it was not financially feasible. Lois Riggins-Ezzell commented the neighborhood association took a stand against moving the Farmers Market into the district. Representative Bragg asked what

was planned to keep the market from becoming undesirable again. Commissioner Manning stated that the Administration supports the proposed master plan. He added that stringent standards need to be established for the market and the mall and they need to find the proper mechanism to assure enforcement over time. Chairman Evans asked Secretary Darnell if the Market was properly run, as well as the security aspects with the appropriate rules and regulations, would he have problems with that. Secretary Darnell stated he could hardly object to a perfect operation. He said if this new market was going to include a wholesale operation, the same problems will occur. Sandra Duncan stated that there are two wholesalers located in the present market at this time. She said the Farmers Market Board voted to have no wholesalers, only retailers, in the new market. Senator Henry commented about the term "pin-hookers", who he defined as one who buys in large lots and sells wholesale as compared to producer sellers. Dr. Corlew wanted to know who sells at the Market during the off season. He said that if there are outside entities creating a tourist attraction year-round, it would attract processed commodities. Chairman Evans stated, in his opinion, he thought the Farmers Market could be a bigger draw than the mall if it was done properly. Treasurer Adams said that the State wouldn't own the land. Chairman Evans commented that they own it now and it seems the Building Commission could put on appropriate building restrictions. Comptroller Snodgrass said that for the Farmers Market and mall to work there would have to be a mutual agreement between Metro and the State. Commissioner Manning said this project is going to happen, or it is not, based upon a mutual agreement between the City and the State. Chairman Evans said he thought it has the potential of being bigger than the old Ryman Auditorium. Commissioner Manning said that Metro has a lot of issues as well, but we can achieve what we want to achieve by sitting down and working out those arrangements. He said the Building Commission had asked that other sites be evaluated and he thought other sites are not going to be viable. Commissioner Whitson mentioned that the heritage of the Farmers Market in the present area is important to the people in Nashville. He said he didn't think tourists would visit the Market as much as the local people would. Representative Bragg thought it was important that the State own the property on both sides of the mall for the construction of future State buildings. Commissioner Manning said that they were looking at the prioritization of those tracts; that everyone agrees that if you have a Farmers Market, it will need to be a different type of market. He said as long as Metro owns the Market it is feasible to allow ownership be with Metro with the absolute condition that it move back to the State if it is not properly maintained. Senator Henry asked that the Building Commission work with Metro so there are no eyesores. Secretary Darnell said the State needs to own everything up to Jefferson Street including other pieces on the site. Senator Henry added that the State needs to own enough on the north side of Jefferson Street to protect the Mall. Chairman Evans said the Capitol Commission would heartily endorse that. Secretary Darnell stated his comfort level would increase significantly if the Legislature could acquire more land but it needed to be done before the Mall was built so as not to pay for enhanced value. Commissioner Manning stated that they would go back and see if they could work that out. Senator Henry stated that if the State can't make these acquisitions now, they need to get the machinery in motion for the Legislature to address the issue. Treasurer

Adams said that if the State owned the property for the site, the State can control. He said the problem is being able to get it worked out with Metro and the State coming up with the necessary money. Secretary Darnell said that they will need to occupy the existing market while they phase out and build the new businesses. Senator Henry expressed concern about the new Mayor not wanting to give the market the proper attention. Secretary Darnell suggested creating a joint membership for the Farmers Market Board with State appointees involved. Comptroller Snodgrass said that if the State can come up with buying the property and then lease it back to Metro it could help the City defray the cost of the Farmers Market. Secretary Darnell said he didn't see anything wrong with that and that if the Farmers Market could be totally enclosed, he would have no problem with that. He said it is the outside stalls that create all the problems, odors, vermin, etc. Treasurer Adams wanted to know why it had to be 40 feet high and couldn't it be just as attractive if it was 12 or 14 feet lower. The Commission then discussed the proposed fencing around 7th and 8th Avenues, vehicular entrances, the amphitheater and its capacity and parking.

Chairman Evans said, from the Capitol Commission's point of view, they were being asked to endorse the master plan for the Bicentennial Mall as presented. He said he thought all of the Commission would like to see the State own the property. Senator Henry said he thought it was a splendid plan and moved that the Capitol Commission endorse the plan with the understanding that there are details being worked on by the Administration and the State Building Commission. Representative Bragg added the condition that the State acquire the property. Chairman Evans stated that the Capitol Commission can only recommend to the Building Commission that the land be acquired. Commissioner Whitson seconded the motion as made by Senator Henry and the motion passed without objection.

CAPITOL ELEVATORS

Mr. Fitts informed the Commission that the State Building Commission had approved a project for \$225,000 to renovate the elevators in the Capitol to include upgrading safety and changing out the control mechanisms. Chairman Evans asked if the face of the elevators would be changed to which Mr. Fitts responded they would not. Senator Henry commented that he did not want the State Seal placed on the floor where it could be walked on.

BOLLARDS

Mr. Fitts explained the need for bollards for traffic control on Capitol Hill. He said they are designed to be made out of pre-cast limestone and be architecturally compatible with the Capitol. He said he had John Mesick's approval of the design.

POLICY FOR NON-GOVERNMENTAL USE OF THE CAPITOL

Chairman Evans stated that he had received a reply from Commissioner Manning and Treasurer Adams with regard to policy for non-governmental use of the Capitol. He read their reply which recommended evaluation on a case by case basis. Chairman Evans brought up the need to adopt some kind of tentative guidelines for use by Elsie Smith, Department of General Services, with regard to some kind of time constraint. Commissioner Manning suggested there be a difference between the inside use and outside use. After discussion, Secretary Darnell made a motion to establish a 15-day notice requirement for inside use of the Capitol. Representative Bragg seconded the motion and it passed without objection.

FILM COMMISSION REQUEST

Chairman Evans recognized Dancy Jones who had submitted a request for approval for Republic Pictures Productions to film in certain spaces in the Capitol. Senator Henry mentioned that the film "Marie" showed an impropriety and he was offended. Ms. Jones said that she has received six requests over the past seven years and that this was the only one she has brought to the Capitol Commission for consideration. She said this film will, in no way, show the outside of the Capitol or anything about Tennessee. She said that the Capitol building was "doubling" for Louisiana and Kansas. Treasurer Adams said he approved the use of his office because it was only for a day and on a Saturday and did not involve a Tennessee subject. Discussion ensued about the "approval" process. Ms. Jones said that some parameters needed to be defined, particularly for commercials or endorsing products. She said that they need to make sure it doesn't put Tennessee in a bad reflection. She proposed that Elsie Smith, Commissioner Whitson and she sit down and draft some rules. Comptroller Snodgrass said it would be good to come up with something to review. Chairman Evans said that they had a very bad taste with the movie "Marie". He then added that they were not going to use the Supreme Court Chambers for this film. He said he told Elsie Smith that under no circumstances would they be allowed to use that room. Ms. Jones said that the production company had been given the okay to film in the Supreme Court room and that they made their decision to use the Tennessee facilities relying on that approval. Chairman Evans said that a communication problem exists. Senator Henry said that if the votes have already been taken, he abstains. Chairman Evans said he would not want filming going on in the Legislative Lounge. Secretary Darnell said he thought they were hung on this request, and that he didn't realize there was any place off limits. Commissioner Whitson said if the Chairman was against it, why didn't they poll the members. Commissioner Manning stated he

believed the Chairman was right; alot of times you pick up a piece of paper and don't really read it and miss things that might have come out in discussion . Chairman Evans recommended that the Chairman rule and let the Board be an appeal process. Commissioner Whitson suggested that they allow no filming in the Capitol. Chairman Evans said if a film was about the Tennessee Supreme Court, that might be all right. Senator Henry said that they didn't need to tie Ms. Jones' hands when she is trying to get the movie industry into Tennessee. Comptroller Snodgrass suggested polling the members and, if there is any objection, then a meeting be called, that the vote has to be unanimous. Ms. Jones suggested that if they had a major project request, they should have a meeting to discuss it. Senator Henry said he could support a request as long as the outside of the Capitol is not shown in a negative light. Secretary Darnell made a motion that request for usage of the Capitol building be circulated and, if there is any objection, the request would then be presented at the next scheduled meting of the Commission. Senator Henry seconded the motion and it passed without objection.

TENNESSEE STATE MUSEUM FUND RAISER

Chairman Evans recognized Lois Riggins-Ezzell with regard to a request made by the Tennessee State Museum Foundation for use of the Capitol for a fund raiser on March 26, 1994. He asked Ms. Riggins if the same type of concerns and restrictions would be enforced for this gala as were enforced for the last one. She responded that the same ones would be followed to the letter. Treasurer Adams mentioned that the request was for a one time approval only and to be done in the same manner as the last one, which was well done. He then moved for approval. Secretary Darnell seconded and the motion passed without objection.

There being no further business, the meeting adjourned at 5:25 p.m.
