

MINUTES

CAPITOL PRESERVATION COMMITTEE

August 30, 2018
Room 152-S—Statehouse

Members Present

Jennie Chinn, Chairperson
Representative Fred Patton
Kim Borchers
Frank Burnam
Melinda Gaul
Harrison Hems
Jeremy Stohs

Members Absent

Senator Elaine Bowers
Representative Valdenia Winn
Tim Graham
Peter Jasso

Staff Present

Whitney Howard, Kansas Legislative Research Department
Bobbi Mariani, Kansas Legislative Research Department
John Hess, Kansas Legislative Research Department
Chris Waggoner, Office of Revisor of Statutes
Jason Thompson, Office of Revisor of Statutes
Jarod Regier, Office of Revisor of Statutes
Debbie Bartuccio, Committee Assistant

Conferees

Tom Day, Director, Legislative Administrative Services
Joe Brentano, Coordinator, Capitol Visitor Center
Bruce Adams, Special Agent, Office of the Kansas Attorney General, and Chairperson,
Kansas Law Enforcement Officers Memorial Advisory Committee
Vance Kelley, TreanorHL

Others Attending

See [Attached List](#).

Morning Session

Welcome

Chairperson Chinn called the meeting to order at 9:34 a.m. and welcomed all attendees. She requested members introduce themselves and then gave a brief review of the agenda for the day. There were no other items requested to be added to the agenda. Chairperson Chinn expressed her appreciation to the staff for their assistance to the Committee.

Review of *Brown v. Board of Education* Mural

Discussion of the Mural Process

Chairperson Chinn reported once the artwork for the *Brown v. Board of Education* mural was selected, the remainder of the process went well and very quickly. She has been pleased with the response to the mural. Reaction to the artwork at both the donor and public events has been very positive. She invited discussion from Committee members about suggestions concerning the mural selection process.

Noting the length of the project from beginning to end, Kim Borchers asked Chairperson Chinn to review the timeline and provide insight as to why the process took so long to complete. Chris Waggoner, Office of Revisor of Statutes, stated the process began with legislation enacted in 2010. Chairperson Chinn said there was much discussion for several years among Committee members as to whether the artist or the funding should come first. The previous chairperson of the Committee requested assistance from the Director of the Mulvane Art Museum at Washburn University, who provided a process that was accepted and followed by the Committee. This involved calling for artists and then narrowing down the list to semi-finalists and then finalists. During the middle of the process, the Mulvane Director moved to another position, which left a void and hindered the project timeline. She said she thought the Committee did a very good job of assuring the artwork finalists fit into the style and aesthetics of the Capitol Building.

Chairperson Chinn noted for future selection of artists and artwork, it is important to be cognizant of what is being requested from the artists, the projected timeline of the project, and the need to have frequent communication with the artists to keep everyone apprised of the progress of the project.

Jeremy Stohs inquired about the final cost of the project and whether fundraising had been finalized. Chairperson Chinn said it was in the \$200,000 to \$300,000 range. She commended the fundraising work completed by Kenya Cox, Executive Director, Kansas African American Affairs Commission. She also recognized Ms. Borchers for the fundraising guidance she provided during the project.

Ms. Borchers noted an important component in fundraising is to have a product for the donor to see and believe in. She said there was a significant donor in Topeka which served as seed money for the project. She said she appreciated the members of the legislative body who contributed to the project.

Chairperson Chinn said it was important to have a fundraising mechanism that can be depended upon to succeed. It would be helpful to have the legislation assign responsibility for the project. She indicated she thought some of the delays in the *Brown v. Board of Education* mural project were related to a lack of a clear assignment of responsibility.

Chairperson Chinn said she has requested the *Brown v. Board of Education* artist, Michael Young, to keep all of the drafts of his work on the project, as there is an interest from a historical perspective in these items.

Ms. Borchers said donors are more comfortable with writing a check to an agency of the State rather than a third-party fundraising organization, particularly with the lengthy timeline of these types of projects.

Chairperson Chinn suggested a timeline of no more than five years for completion of a mural project. She also noted the contract with the artist was successful because there were milestones to meet before payment was provided.

Frank Burnam said coordination with state agencies, particularly with the Office of Facilities and Property Management (Facilities Management), was critical due to issues such as lighting and how to handle the unveiling of the mural. He noted on the day of the installation, it was interesting to see the excitement of the students who were touring the Capitol when they saw the project.

Chairperson Chinn thanked Facilities Management staff for their work installing and unveiling the mural and Ms. Cox for her fundraising efforts.

Concerning the contract with the artist, Tom Day, Director, Legislative Administrative Services, indicated the contract contained three phases for payment to the artist. He noted a critical item for the contract was providing upfront funding to the artist so work could begin while the remainder of the funding was being acquired. He stated the fundraising payments were for approximately \$110,000, but additional money was raised to allow for maintenance and lighting of the mural in future years.

Use of Hallway Space Next to the Mural

Mr. Day next addressed the use of the hallway space next to the mural. He stated concerns had been raised about the number of food and drink events that routinely occur in this area. Mr. Day took the issue to the Legislative Coordinating Council (LCC). After much discussion, the LCC made a decision to no longer allow events with food and drink in this area. The one exception is the use of a table for coffee and food in a small area next to the Old Supreme Court Room for when the House of Representatives majority caucus meets in the room. The food and drink cannot be allowed in the foyer area of the Old Supreme Court Room due to the carpeting in the area and the expense of cleaning the carpet. This would allow the hallway space next to the mural to be open for tours, special announcements, and press conferences. He said people seem to love to take pictures of the mural.

Chairperson Chinn expressed her appreciation to Mr. Day for his assistance with negotiating the contract with the artist and his work with the LCC on determining the rules for usage of the hallway space next to the mural. She noted the contract with the artist permits the State to use the image of the mural. She said there is another piece of public art in the Capitol that the State does not have the right of use of the image and this has caused issues.

Mr. Stohs inquired if the rope barriers have been effective in keeping people from touching the artwork. Mr. Day indicated the ropes seem to have worked well.

Mr. Day noted the mural process and contract negotiations took time. He stated upfront money to the artist is necessary for future mural projects.

Mr. Burnam said the artist's family video taped the entire process of hanging the mural. Mr. Day said he would contact the artist to see if a copy of the video could be acquired for the Committee.

Chairperson Chinn asked Joe Brentano, Coordinator, Capitol Visitor Center, for his comments concerning the *Brown v. Board of Education* mural. Mr. Brentano said the tour staff members are very excited and are preparing for the school children who will begin touring the Capitol in late September.

Conservation of Murals

Chairperson Chinn said the Capitol Visitor Center staff have received complaints from visitors about damage to the Overmyer murals, which are on the first floor on the walls of the rotunda. She noted the damage to the murals consist of cracks in the plaster that have resulted in the top layer flaking off in small areas. She provided a report on the damage to the murals prepared by the Museum Registrar of the State Historical Society ([Attachment 1](#)).

Chairperson Chinn noted the report provides a description of the level of damage for all of the Overmyer murals, but the two murals with the most damage are the Battle of Mine Creek and the Battle of Arikaree. The report indicated the two murals with the most damage are located adjacent to an air shaft and stairwell.

Chairperson Chinn noted a Colorado company provided a free estimate for conservation of the murals. She reviewed a document outlining this estimate in the range of \$8,500 to \$11,500 for on-site treatment of the murals. The estimate specifies treatment would include written and photographic documentation; local adhesive consolidation of cracked, loose, lifted paint; filling and painting of losses; and overall dusting of each mural. The estimate includes preparation and administrative time, travel time, actual on-site time, report time plus travel, and on-site expenses. It is based on 4.5 to 6 days of actual on-site time for one conservator, which could be halved by having two conservators on-site ([Attachment 2](#)).

Chairperson Chinn said the conservation work should not be done during the legislative session due to the number of people in the building. She noted since the Committee has no budget, the Committee could make a recommendation to send the report to the LCC so they are aware of the problem.

Mr. Stohs asked if the process was considered a cleaning or a repair. Chairperson Chinn responded the process would be considered conservation to make sure the paint is adhering to the wall. She said it has been her experience that sometimes conservators discover other problems in the process.

Chairperson Chinn said the conservators spent two days evaluating the murals to provide the cost estimate. She said in her experience working with conservators on other projects, the price estimate and report seem reasonable. She volunteered State Historical

Society staff to help supervise the project and to work with the Department of Administration. She said the project would need to be done very quickly or wait until the break during session or the end of the next session. Mr. Day suggested waiting for either the first adjournment break during April or following *sine die*.

Mr. Burnam indicated due to the number of people who schedule the space well in advance, the time frame for the conservation would need to be blocked off once a contract has been finalized so there is certainty when the project would be completed. He suggested the State Historical Society approve the conservator selected for the job to assure a quality repair is accomplished. He said he brought in a mechanical contractor to evaluate the air shaft mentioned in the report. The shaft is simply an air shaft and does not have air conditioning running through it. In addition, humidity is not added into the facility because of the limestone construction.

Representative Patton moved, seconded by Mr. Stohs, for the Committee to alert the LCC of the issue of the condition of the Overmyer murals. The motion passed.

Chairperson Chinn said she would work with Mr. Burnam and Mr. Day to develop a plan for presenting the information to the LCC for consideration.

Capitol Visitor Center Updates

Chairperson Chinn asked Mr. Burnam to provide an update on issues concerning the Capitol Visitor Center. Mr. Burnam noted there were a significant number of cracks on the marble flooring in the Visitor Center. He stated Lardner Monuments was contracted to make 14 repairs in late December 2017 and early January 2018, with each repair costing \$100 and involving a colored epoxy material. The results were excellent and no additional repairs have been needed. He stated Facilities Management has changed its cleaning practices and now uses hand mops on the floor rather than a floor machine to help prevent future cracking ([Attachment 3](#)).

Concerning Visitor Center signage, Mr. Burnam reported Knox Signs and Graphics has been contracted to install ten inch dark bronze cast aluminum letters over the center arch of the Visitor Center entrance to identify it as a public entrance. In addition, Facilities Management is working on ways to assist the public in finding the Visitor Center from the street and public visitor parking lots.

Mr. Burnam said the north entrance of the Capitol was originally planned to have a fountain; however, a fountain would be difficult to maintain. He noted Facilities Management is considering the addition of a 40 foot flag pole with a base instead of a fountain.

Chairperson Chinn said a flag pole was suggested to better identify the north side of the building as the public entrance.

Ms. Borchers expressed her preference for the fountain and to leave the current flag pole at the south entrance. She liked the idea of having something more distinct at the entrance to enhance the aesthetics of the area. Mr. Burnam agreed fountains are beautiful, but there needs to be a commitment and funds to support the fountain's maintenance.

Harrison Hems suggested the flag pole could be removed from the south side and placed on the north side to avoid confusion for those looking for the entrance.

Mr. Burnam indicated multiple options will be presented to the Committee for consideration at a future meeting.

Expansion of Law Enforcement Memorial

Chairperson Chinn recognized Bruce Adams, Special Agent, Office of the Kansas Attorney General, and Chairperson, Law Enforcement Officers Memorial Advisory Committee. Mr. Adams said the current Law Enforcement Memorial is running out of space and an expansion plan has been developed which would maintain the integrity of the monument while not detracting from the aesthetics of the Capitol grounds.

Mr. Adams then invited Vance Kelley, TreanorHL, to provide an overview of the expansion design. Mr. Kelley provided historical background, noting the existing memorial was carefully dismantled in 2001 to make way for construction of the underground parking garage. He stated by 2004, a design had been completed for reconstruction of the memorial, including plans for future expansion. He noted there is very little room for additional names to be added to the current memorial ([Attachment 4](#)).

Mr. Kelley reviewed the drawings and explained the expanded design includes a ripple effect to symbolize the ripple effect that each law enforcement officer has on the community as he or she performs their duties. The design incorporates suggestions from Facilities Management, such as the relocation of benches to reduce the amount of debris and water which might accumulate around the memorial and removal of granite chips around the perimeter. He stated the plans include soft blue lighting to symbolize the fallen officers' sacrifice will not be forgotten. He stated the expansion includes space for an additional 384 names. He also noted when the monument was reconstructed in 2004, it used granite and the same granite is still available for use on the expansion.

Chairperson Chinn inquired about the timetable for the project. Mr. Kelley said the plan documents are being finalized and once approved, can go out for bid. Construction would not begin until after the next planned ceremony in May 2019.

Mr. Burnam requested Mr. Kelley speak about the method for locating specific names on the memorial. Mr. Kelley explained numbers would be placed on the panels and an app would be available for visitors to utilize to assist in finding the panel on which a specific name was located.

Ms. Borchers stated the design was spectacular. Mr. Stohs said the expansion appears to be very well thought-out and fitting.

Chairperson Chinn inquired about the use of lions in the design at the entrance. Mr. Kelley explained lions are used as a symbol of bravery at the National Law Enforcement Officers Memorial in the District of Columbia. Small lion heads have been used on the entrance panels in this design to incorporate this concept.

Mr. Burnam expressed his appreciation for Mr. Kelley's consideration of the design suggestions made by Facilities Management. He requested a reasonable time frame for completion be established once the project has been approved.

Chairperson Chinn agreed the design appears to have been well thought-out and is dignified. Mr. Kelley said the design committee included members of all branches of law enforcement.

Ms. Borchers moved, seconded by Melinda Gaul, to approve the design for the expansion of the Law Enforcement Memorial. The motion passed.

Fallen Firefighters Memorial

Chairperson Chinn asked Mr. Waggoner to provide a brief update concerning the Fallen Firefighters Memorial. Mr. Waggoner provided an overview of 2001 legislation, which created the Kansas Firefighters Memorial Advisory Committee. He noted there are some funding mechanisms, but additional funding is needed and the design concept needs to be finalized. Since 2010, any plans approved by the Director of Facilities Management must also be approved by the Capitol Preservation Committee.

Mr. Burnam said in May 2018 he met with Doug Jorgensen, Kansas State Fire Marshall, who indicated momentum has begun concerning the memorial. Mr. Burnam noted funds have been allocated for construction and maintenance, but additional funding is needed to pay for the design phase and other expenses above the initial funding provided. He noted with the changes that have been made to the Capitol grounds since 2001, the original design concept will need to be reevaluated.

Chairperson Chinn said none of the members of the Kansas Firefighters Memorial Advisory Committee were able to attend today's meeting. She expressed her willingness to work with the Advisory Committee on how to effectively incorporate the design into the Capitol grounds concept. She noted while the Law Enforcement Memorial is the only one in the state, there are some communities which already have local firefighter memorials.

Ms. Borchers said she is familiar with this Advisory Committee and one of the challenges with fundraising is the large firefighter memorial already in Wichita. She suggested the various firefighter organizations across the state implement a fundraising project. Large donors will be interested in seeing the level of contributions provided by individual firefighters.

Chairperson Chinn said she would reach out to the Advisory Committee to let them know the Capitol Preservation Committee would like to be involved in early discussions concerning the design of the memorial.

Eisenhower Statue Update

Chairperson Chinn asked Mr. Burnam to provide an update on the Eisenhower statue project. He said Peterson Monuments of Abilene, Kansas, has been contracted to engrave a granite pedestal with "Dwight D. Eisenhower," with delivery and installation of both the pedestal and statue on the Capitol grounds in mid-October, 2018. The concrete footing and base are already in place. Jim Brothers Sculpture Studio, Inc. of Lawrence, Kansas, has been contracted

for the creation of the statue with scheduled delivery on or before October 12, 2018 ([Attachment 5](#)).

The date of the dedication will be coordinated with the availability of family members to attend. Chairperson Chinn said there are busloads of people from Abilene who are planning to come to the dedication.

Other Business

Chairperson Chinn asked if there were any other items which needed to be discussed. Mr. Hems inquired if there were other murals that have been requested through legislation, but have not yet been completed. Whitney Howard, Kansas Legislative Research Department, responded she knew of one mural which was to honor the 1st Kansas (Colored) Voluntary Infantry regiment. Chairperson Chinn said it was her understanding additional legislation would be needed to move forward with the project. She said she would contact Senator Hensley to discuss the mural, as he was involved in the original request for consideration of the project. Mr. Waggoner noted the original legislation was enacted in 2000.

Discussion of Annual Report to the 2019 Legislature

Chairperson Chinn requested Ms. Howard to review recommendation items to be included in the Report of the Capitol Preservation Committee to the 2019 Legislature. Ms. Howard summarized the recommendations provided by the Committee as follows:

- The Committee recommends future mural legislation to clearly outline responsibilities and mechanisms for funding of such mural;
- The Committee recommends future mural proposals to include a specific and realistic timeline for accepting artist proposals and an outlined process for working with the artist on completion of such mural;
- The Committee recommends the Director of Legislative Administrative Services to contact Michael Young, the artist of the *Brown v. Board of Education* mural, about receiving a copy of the documentary filmed concerning such mural;
- The Committee recommends the State Historical Society and the Kansas Department of Administration provide the Overmyer murals report and estimates to the LCC for their review;
- The Committee recommends the Kansas Department of Administration continue to explore options for marking the north entrance to the Capitol Building and provide these options to the Committee;
- The Committee approves the Law Enforcement Officers Memorial proposals provided by TreanorHL on behalf of the Law Enforcement Officers Memorial Advisory Committee; and

- The Committee directs the Chairperson of the Capital Preservation Committee to discuss the process of the Fallen Firefighters Memorial with the Kansas Firefighters Memorial Advisory Committee.

Representative Patton, seconded by Mr. Hems, moved the recommendations be included in the Annual Report to the 2019 Legislature. The motion passed.

Chairperson Chinn adjourned the meeting at 11:37 a.m.

Prepared by Debbie Bartuccio

Edited by Whitney Howard

Approved by the Committee on:

January 4, 2019

(Date)