

MISSOURI STATE PENITENTIARY REDEVELOPMENT COMMISSION

DRAFT

MEETING MINUTES

Open Session – August 25, 2010

Call to Order: Call to order by Dan Carr at 1:02 p.m.

Roll Call: The following Commission members were present: Michael Berry, Frank Burkhead, Gene Bushmann, Dan Carr, Bob Meyer, Darrell Roegner and John Sheehan. Quorum met. (Six members must be present to constitute a quorum, 2 vacancies.)

The following Commission members were absent: Kathy Peerson.

Present: John Kuebler (Attorney)

The following Facilities Management, Design and Construction staff members were present: Interim Director Cathy Brown, Deputy Director John Hequembourg, Charlie Brzuchalski, Cindy Layton, and Lois Bennett.

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I. Public Comments

- i) Steve Picker with the Jefferson City Visitors and Convention Bureau – Tours going well. Over 125 tour buses scheduled to come to Jefferson City. They visit the Capitol and then MSP. People are really enjoying the MSP tours.

II. Approval of previous meeting minutes – June 23, 2010 and April 28, 2010

- i) Gene Bushmann moves to approve, John Sheehan seconds. All in favor. Motion passed. Minutes for the April 28, 2010 and June 23, 2010 meetings approved.

III. MSPRC Sub-Committee Reports – Michael Berry and Kathy Peerson

- i) City / Neighborhood Sub committee –
  - Nothing to report. Michael will be setting up a meeting with the city and county.
- ii) MSP Development Sub-Committee – Gene Bushmann and John Sheehan
  - John Sheehan – Two tracks. One track is the sub-committee from this commission, the second track is members of Commission, State, City, County and the Chamber. That group met in August. It would help gather data to compliment and provide info to the commission. Will meet again in September. Met and discussed historical campus. Discussion of development of timeline for RFP. Using color map as a guide, the prospect of developing an RFP once the property is available following EPA report, demolition plan, development of an RFP that would go out after this info. The city shared an RFP used on 400 W. Main Street property as starting point.

- Gene Bushmann – clarify what John says. Because of specific proposal city used for their RFP for that location, it asks that if anyone has any ideas, to respond to them. Gene and John think it would be a good idea to go back to McCormack Barron and asked them to come back with some of their ideas. Charlie has been unable to get an answer from them at this point. Will continue to follow up and advise

IV. Status update on MSP Caretaking / Interim Uses Management – Charlie Brzuchalski

- i) Building Weatherization & Clean-up – H.U. 1, 3, & 4 –
- HU 3 roof was damaged in recent storm. Seeking emergency repair funding.
  - HU 4 obtained some leakage in last storm, can't determine if leaking is from window or roof. Think it's window related and are working on that.
  - Inmate labor crew clean up continues in HU 3. Trying to expand areas where that crew works since they are having so much success.

V. Review and Update on MSP Redevelopment Project Status – Charlie Brzuchalski

- i) Federal Courthouse Project –
- Working on front plaza. Granite is in place. Concrete pavement is in place. Finishing up front columns, other caulking. Most of work is on the inside. All the floors have air conditioning. Hanging sheetrock and interior finishes. Commission can tour again in October.
  - Lot of work in loading dock area. Generator has arrived. Feel like they are ahead of schedule. Trying to find out the exact product they are going to use to stain the letters at the top of the building, so that the Commission can use it on other projects to match.
- ii) Lafayette St. / Lafayette St. Extension / State St. Reconstruction –
- 99% of State Street complete. Now working up into Lafayette portion of project. Asphalt and sub-layer removed. Added fresh clean rock. Had problems with gas and water lines being too high and had to have Ameren and MO American water come do repairs.
  - Dan asks about what will happen to guard tower 12. Charlie says they will take off the 1960 cinder block and glass and cap it with a waterproof slab.
  - John S. asks if Charlie is familiar with Rotary Park and their cul-de-sac museum and if there would be the possibility of something similar in the Lafayette cul-de-sac. Charlie says yes, there is the possibility for an overlook. Ultimately build out something similar to what is at the end of Bolivar St. Gene asks if they will be able to go up stairs to get to top of tower. Charlie says no, maybe later. Would have to have discussions with US Marshals, they would prefer that we did not.

Gene asks if that tower is in their allocated plot. Charlie says no. Not part of right of way for city or courthouse property. Tower sits on state property.

- Michael asks if there has been anymore discussion about routing greenway project around this area. Charlie says there was a meeting with federal courthouse members, where they reiterated their desire not to have greenway on federal property. Now reviewing other options. Judges and Marshals would prefer it not be on the same level as their yard, but won't stop it from happening, however will not allow it on their property. Gene thinks there will be future debate about where it will go to get back to State Street. Charlie says they think they have a solution but haven't got a design yet. Michael asks what the lawn area will look like. Charlie says it says 'green grassy area.'
- Three weeks out from seeing blacktop being put out on the street barring any interruptions. Having discussion with city, J.E. Dunn, and GSA about how soon they will be taking the fence that goes across Lafayette away. They will put it on foot pegs to maintain that perimeter.

iii) Environmental Assessments (Phase 1 & Phase 2)

- Discuss Draft of Soil and Groundwater Report – and Status of ACM/Lead/Mold/Haz Mat Assessment Work -
  - (a) In front of gas chamber there is a slab, where an old dry cleaning plant used to be. There are levels of chemicals in the ground at actionable levels in this area. There are ways to mitigate this. One option if it can be shown that there isn't a plume migrating underground, a solution could be to put a surface on top of it to limit the amount of ground water that goes down into it. The other point they made, at the corner of wood product building, a concentration of second generation chemicals from dry cleaning chemicals. Those concentrations were deeper. Haven't shown if there is a linkage between two. There are stories of that area being a dumping ground for chemicals, this is not proven though. Will have to drill additional pattern around the two areas to see what the plume migration is. Michael asks about actionable level of the second area byproducts. Charlie says it would depend on if it is made residential or not. Good news is in master plan the proposed area would have a cap, which is the easiest option. Other problem is at chemical products area. Have a polynuclear aromatic hydrocarbon. It has the consistency of coal residues, smells like gas, gets your hands dirty and black. Usually comes from the off flow of coal dumping area. Which is what we did in that area because that's where our power plant was and we burnt coal there until 1930s. Need to be attentive to that area when we do development so that we do not expose those coaly materials to the air. Other area of concern is by the slaughterhouse smokestack. Near the door

there are high levels of arsenic, lead, and silver. Probably a soil excavation operation, but small. Michael states it appears it's really not an unmanageable problem. Charlie says it's less than expected. A lot has worked itself out over time. Levels today are moderately less than they were at the end of monitoring period in 1996. Time is a great asset, as long as factors that cause migration don't happen. Gene asks if the contaminated areas are limited in scope would it be possible to remove the dirt. Charlie says yes it is feasible, but there are so many mitigation techniques that cost significantly less. Better option is to strip that contamination out of the dirt and not have to haul it off. So you are hauling of a tenth of the material you would have hauled off.

- (b) John S. asks when report is finalized does this report become a tool that a developer can use to secure credit. Charlie says yes and no. Environmental reports have a shelf life of 6 months. The data won't significantly change in Phase 2. It's Phase 1 that has the shelf life. The developer can have a new Phase 1 done. John S. asks John K. if we proceed with a request for a proposal and we have responses back on selected buildings or acres within the commercial designation do we easily get meets and bounds of the property for possibly transferring it. John K. – You can do it anytime. Charlie says at this point we already have maps with specific lines which could be converted to a meets and bounds description for any specific project. John S. can tie back in to the EPA study so the developer knows the exposure to these problems.
- (c) John S. says there is a number out there of the cost of clean-up of the site and wants to know if it's accurate and if it's inaccurate is there a way to provide more accuracy? Charlie says probably not an accurate number and that is why they want to get all this information so they can get a quantifiable amount. If we gave a price tag for clean up today, it would be on high side. Michael asks if we are still waiting on lead asbestos and mold tests. But assuming if they weren't an issue, if someone wanted to take on development of a building, the groundwater and soil don't seem to pose much of a problem. Charlie says only the areas mentioned earlier are a problem, but if the soil isn't disrupted in those areas, they aren't much of a problem either.
- (d) John Kuebler asks John about property lines and if the railroad's side is defined? Charlie says today we can draw a line that we can say is ours. In the area north of the wall and to the tracks the railroad and the State of Missouri have both used that area as a common area since 1855. The only piece that the railroad has exclusively used is the area where their tracks are.

Those two blocks never left the State's ownership. That opens up the opportunity to discuss with the railroad where the line is. Doesn't think it's going to be a litigation issue. Will only hold up riverfront plans in the master plan, not commercial or Historical. Anything inside the wall is not an issue.

- (e) Dan Carr asks John Sheehan if he thinks we should go forward with meets and bounds. John S. says yes the developers are going to want a legal track. If we have identified what is available to commercial development, it would tell us what properties we can get a meets and bounds on. Dan's thoughts: Meets and bounds will tie you to a site. State has some flexibility, does the Commission want to tie themselves down to a meets and bounds or leave it open so they can work with the State on how big or small this area gets? If a developer wanted to take an old building and add to it they are changing lines. Understands we need to define it but may have better way than having surveyor go out. Michael Berry says we need to be prepared on a relatively short notice to get financing, etc. Dan second point on Environmental study was to identify problem areas. If a developer comes in and identifies a report, but will hire their own environmental person to come in and do their own in-depth study.
- (f) Dan Carr asks since focused on phase 1 are there any soil issues in that area. Charlie says no issues have been found other than what has been identified today. Michael asks when we expect the interior information to be ready. Charlie says a draft report probably mid-September. Gene asks if it will apply to every building. Charlie says yes. Dan asks once that report is in, is that when demolition will start? Charlie says it's the last hurdle.
- iv) Section 106 – Programmatic Agreement –
- All received signed copy. Have already exchanged letters with Osage tribe. Haven't posed any issues but want to know how much disturbance will be done in the area with future development. Must help them understand what is going to happen.
- v) Demolition Projects – CDBG Funded
- Site Documentation - Survey / Photographic / Archeological –
    - (a) Will be doing ongoing survey work identifying where property lines are. Photography of all buildings and adjacent buildings being demoed. Also doing archaeological investigation in those areas.
  - Demolition Phase A-1 West End / Lafayette St Area – Concentrating in this area.
  - Demolition Phase A-2 East End / Chestnut St Area
- vi) MSP Greenway Trail Project – Project Planning

- Since we have programmatic agreement, the Greenway Trail will be attached to it, this will allow the commission to add clauses. Move on to photography, archaeological investigation, proceed with project.

VI. Pending Items from previous meetings-

- None.

VII. Upcoming Agenda Items –

- Next meeting is being pushed back one week to September 29, 2010.
- Sub-committee will work on a draft RFP to bring to the next meeting.
- Possibility of getting someone at a meeting about State and Federal tax credits.

VIII. .Other Business-

- Dan Carr announces that Jeff Schaeperkoetter has left the Division of Facilities Management, Design and Construction, and that Cathy Brown is standing in as the Interim Director.

IX. Adjournment-

- Michael Berry motions to adjourn. All in favor. Meeting adjourns at 2:20 p.m.

**Next Meeting:**

September 29, 2010

Truman State Office Building

Room 750

Jefferson City, Missouri