

MISSOURI STATE PENITENTIARY REDEVELOPMENT COMMISSION

MEETING MINUTES

FINAL

Open Session February 23, 2011

Call to order: Call to order at 1:07 p.m.

Roll Call: The following Commission members were present: Michael Berry, Frank Burkhead, Gene Bushmann, Dan Carr, Kathy Peerson, John Sheehan

Quorum met. (Six members must be present to constitute a quorum, 2 vacancies.)

The following Commission members were absent: Bob Meyer, Darrell Roegner.

Present: John Kuebler (MSPRC Attorney)

The following Facilities Management, Design and Construction staff members were present: Director Cathy Brown, Deputy Director Legal Counsel Larry Weber, Deputy Director Chief Engineer Mark Hill, Sam Puckett, Charlie Brzuchalski, Cindy Layton, Dianne Beasley

- I. Public Comment – None
- II. Approval of previous meeting minutes – January 26, 2011, meeting minutes for approval.
 - a. Dan Carr requested a motion be made to approve the minutes from the January 26, 2011, meeting.
 - b. Gene Bushmann requested an addition to the January 26, 2011, minutes on Page 3, Section III, MSPRC sub-committee reports, MSP Development Subcommittee, RFP Development and Issuance.
 1. Addition: Bushmann referred to the RFP and the magenta area (northern end of site), and expressed the opinion that it was fundamentally a waste of time to limit the RFP solely to that area. The area is totally isolated, and it will be years before the area is developed. There was substantial modification on the development of Lafayette Street, and it was not developed according to the Master Plan. There is no feasible way to build a road that goes from the roundabout to the lower level that accommodates housing unit 5 and the Shoe Factory. The only way to get access to that area would be to extend Chestnut Street, and there is no money to do that now.

MOTION: Motion made by Frank Burkhead to accept the minutes with the suggested addition. Michael Berry seconded the motion. All in favor. Motion passed.

Minutes from January 26, 2011, meeting approved with the suggested addition. NOTE: Update made to minutes and marked FINAL.

III. MSPRC sub-committee reports

a. City/Neighborhood sub-committee – Michael Berry, Kathy Peerson

1. Report provided at the last meeting. No update.

b. MSP development sub-committee – John Sheehan, Gene Bushmann

1. John Sheehan clarified that at the last meeting the decision was made to approve the RFP in its then current form with the amendments adopted by the MSPRC (Page 3 of January 26, 2011, meeting minutes). Sheehan requested an update on the RFP from the last meeting.
2. Cathy Brown provided an update on the RFP and stated that after conclusion of last month's meeting, the Office of Administration revised the approved RFP with the approved amendments. RFP has to go through a series of review processes including legal. Making every effort to expedite the conclusion of the review process. Hoped to have it today, but anticipate it shortly. The RFP is moving in the review process.
3. Michael Berry asked if the document that was approved by the MSPRC was being revised. Cathy Brown stated that the document was being reviewed with renditions going back and forth. The review is not removing the amendments but is based on the wording on the RFP. Cathy clarified that since the MSPRC is a state entity, the RFP is subject to a proper state legal process. Berry asked what authority the state has to review RFP approved by the MSPRC since statute gives the MSPRC authority to enter into contracts.
4. Michael Berry commented that his general observation is that the process is not functional and suggested the need to have closed session to review processes and authority.
5. Dan Carr asked John Sheehan and Gene Bushmann, as members of the subcommittee, if it makes sense to have a closed session meeting. Sheehan asked John Kuebler for legal advice on having a closed meeting since discussion is about the property and obtaining advice of counsel. John Kuebler advised that this would be an item for closed session and that discussion of specifications for competitive bid also qualifies for closed session. Gene Bushmann and John Sheehan will schedule the meeting.

MOTION: Michael Berry made a motion to schedule a closed session to get advice of legal counsel and discuss real estate matters and matters pertaining to competitive bidding. Gene Bushmann seconded the motion.

Discussion: John Sheehan asked that the meeting be held with the contingency that the RFP is finished for the meeting. Berry stated that meeting should be held whether or not the RFP is available. Gene Bushmann suggested that discussion should include any competitive bidding proposal for any portion of the MSP site. Wasting time talking about magenta area.

Need to focus on Chestnut Street. Suggest motion not to limit closed meeting to RFP under discussion. No further discussion.
All in favor. None opposed. Motion passed.

IV. Review and update on MSP Redevelopment Project Activities

a. Federal Courthouse Project Update – Charlie Brzuchalski; GSA not available

1. GSA scheduled to attend the next meeting to discuss proposed landscaping in the area between the new federal courthouse and the river.
2. Since there is supposed to be substantial completion of the courthouse by April, Dan Carr asked for a tour of the federal courthouse for the MSPRC Members. Charlie Brzuchalski will set up a tour the morning of the next meeting. A meeting request will be sent.
3. Gene Bushmann asked about the security device located on State Street and if the same device is planned for Lafayette Street. Charlie pointed out the area on the screen and explained that it would be the same device. GSA calls it the security perimeter for vehicular protection. Gene Bushmann asked if GSA will ask for anything from MSPRC. Charlie said that as a courtesy GSA will probably discuss the improvements they propose to make even though they have title to the property. GSA has not indicated they will need anything further from MSPRC.
4. Charlie showed slides of the progress on the courthouse. One courtroom left to finish.
5. Still anticipating moving in during the summer of 2011 with an open house in the fall. No date yet on the open house.

b. Lafayette St. / Lafayette Street Extension / State Street Reconstruction – City/County Staff

1. Environmental Impact Study (EIS) – Charlie Brzuchalski
 - Environmental Impact Study from MoDOT sought public comment. No info on whether they received any public comment. Report was provided at the last meeting.
2. Lafayette Street Extension – Charlie Brzuchalski
 - Nearly complete.
3. Concrete Wall Demolition Proposal – Charlie Brzuchalski
 - Still working with contractor to determine the scope of work for the wall demolition.
4. Lafayette Street Improvements
 - Gene Bushmann commented that the Lafayette Street construction is different from the Master Plan. The original plan called for Lafayette Street to end at a point approximately parallel to the Shoe Factory. As built, Lafayette ends approximately parallel to Housing Unit 5. Considerably shorter. The Master Plan also called for the last portion of Lafayette to slope downward from Housing Unit 1, so that it would end

at an elevation of 614 feet. As built, Lafayette is not only shorter but, more importantly, ends at an elevation of 622 feet. The street between the Shoe Factory and Housing Unit 5, which was to be the western terminus of the Master Plan Parkway, is at an elevation of 606 feet. The incline between the lower street and the Lafayette turnaround is too severe to meet the requirements of the Master Plan.

- Cathy Brown not sure that SHPO needs to be notified.
 - Charlie Brzuchalski commented that while working with the city to design the street, conclusion reached that not enough known about the end of the intersection resulting in work stopping at the cul-de-sac. The cul-de-sac can be taken out later. Cul-de-sac will be rebuilt as part of the MSP Parkway, resulting in 614 ft, original elevation called for by the Master Plan.
 - Bushmann commented that the proposed MSP Parkway takes up too much of the site. MSPRC always talked about extension of Chestnut Street. In favor of going to SHPO to tell them that construction of MSP Parkway cannot be accomplished because resulting road will have too much of a slope. Seems silly to take out whole end of Lafayette and drop it down, if the north end of MSP can be accessed from Chestnut Street.
 - Bushmann further stated that MSPRC needs to discuss how to proceed, since all variations from Master Plan require SHPO approval.
 - a. Option 1: Go to SHPO to seek variance to master plan.
 - b. Option 2: Go to SHPO about amending Master Plan so end of Lafayette Street is not reconstructed, and leave it as it is.
 - Bushmann commented that the Office of Administration is proceeding under the theory that the programmatic agreement gives SHPO total control over any modification that is not in complete compliance with the Master Plan. If that is true, then MSPRC needs to get approval from SHPO.
 - Michael Berry asked the elevation where the proposed MSP Parkway flattens out. Charlie Brzuchalski responded that the original master plan developed a grading plan that had these elevations in it; Charlie will look up and share.
 - Dan Carr asked if there is a need to set up a meeting with SHPO. Gene responded that he believes that SHPO should be at the MSPRC meetings.
5. Capitol Avenue to School Street
- Charlie Brzuchalski stated that bids were received on February 11, 2011; Stockman Construction is low bidder. Plan to proceed in March. Work out phasing and scheduling for traffic flow.
- c. CDBG Demolition Project – City / FMDC Staff (Note: moved up on agenda for discussion)

1. Melva Fast distributed handout of letter from SHPO. Discussed programmatic agreement with SHPO again following the February meeting. SHPO made it very clear to get public input from any historic group. The historic groups are concerned about the way MSP Parkway was shaped and the grade. The historic groups preferred the extension of Chestnut Street. SHPO prefers a conservative approach. SHPO approves doing what can be accomplished with available grant money, and then when RFP comes back, work on an incremental basis. Letter from Mark Miles, SHPO, outlines that SHPO approves all of Phase A and part of Phase B. SHPO will consider any proposed modification of the Master Plan.
2. Dan Carr asked about the timeline. Melva Fast said CDBG is reviewing the initial environmental documentation. Once the grant is approved, the money will be available. The grant may be approved by April. Charlie Brzuchalski stated that as soon as there is grant funding, the project is ready to go out to bid. Cathy clarified that this will start the contract process to establish contacts; could have equipment onsite to begin Phase A within 60 to 90 days.
3. John Sheehan asked to return to discussion on Gene Bushmann's comment on the need to formally ask SHPO to consider roadway for MSP Parkway and the grade differential on the end of Lafayette Street to redirect purpose to accessibility from Chestnut Street to buildings available for commercial development. Cathy Brown stated that MSPRC needs to decide how to construct roads. Michael Berry asked from whom the MSPRC should seek this permission.
4. Gene Bushmann referred to the Mark Miles, SHPO, letter to draw attention to verbiage in the letter quoting MSPRC. Wise to concentrate thinking and efforts along Chestnut Street and consider making request to SHPO to approve existing construction of Lafayette Street and not require it to be reconstructed.
5. Michael Berry asked to consider an engineer study to determine costs for improvements for extension of Chestnut Street and MSP Parkway since Chestnut Street is flat, which would be cheaper than constructing the road on a slope. Dan Carr asked how to define a study. Gene Bushmann commented that the MSPRC needs to work with OA in defining the area for which redevelopment proposals should be sought. If Chestnut Street is extended, land is immediately available for development on both the east and west sides of Chestnut Street. Dan Carr commented that Michael Berry brings up a good point; MSPRC has no money for an engineer study, but there is merit in doing a study. Look at sitting down with city/county/state to discuss direction and ask for help on how to proceed. Michael Berry commented that this process would be to find out what can be done with the resources available. Gene Bushmann asked OA if there is any objection to begin discussion among MSPRC members on developing a plan for Chestnut Street. Clarified area as west of Chestnut Street to extend Chestnut Street north to the wall; and redevelopment be considered for areas both east and west of Chestnut Street. Larry Weber commented that the area shown in red (magenta) includes both sides of Chestnut Street for development and

MSPRC should continue discussion for redevelopment. Dan Carr stated that MSPRC will reach out to stakeholders to proceed.

- d. Historic Tours Update – Jefferson City Convention and Visitors Bureau (JCCVB), Steve Picker
 1. Steve Picker provided an update on the MSP Prison Tours and stated that the tours are of interest to a lot of people.
 - 16 motor coach tours booked
 - Public history tours booked
 - First Ghost Tour scheduled on March 12; a lot of interest; foresee a banner year for tours at MSP
 - Gene Bushmann asked if they receive requests for soda, water, souvenirs. Steve Picker commented that the JCCVB purchases souvenirs made by MVE from the state and resells the souvenirs. After 2009 tours, people wanted to take something home with them from the tour. Guides take a cooler of water on each tour and sell the water.
 2. MSP 175th Year
 - Frank Burkhead asked what plans are in process for the MSP 175th year anniversary.
 - Steve Picker stated that the 175th year anniversary event is planned June 10, 11, 12. Steve introduced Sara Alsager to provide an update on the event plans.
 - Sara Alsager stated that the plan is for a weekend of events to include demonstrations on historic significance of the prison; a program for kids on the ball diamond; concert next to prison; movie with MSP in it; a lot of ideas.
 - Steve Picker commented that all events on that weekend are free; tours will be for the normal charge. MSPRC members will receive Invitations to the event. Invitations also being sent to past MSP correctional officers. Goal is to bring people in on Friday and stay through weekend.
- c. Environmental Assessments – City / FMDC Staff
 1. Phase 1 and Phase II Reports & Hazardous Waste Material Inventory
 - Charlie Brzuchalski commented that the public meeting was held, at which the CDGB demo plan was discussed.
- d. MSP Greenway Trail Project – FMDC Staff
 1. Charlie Brzuchalski provided an update on the MSP Greenway Trail Project. Survey crew on site. Should have progress in next few weeks on design. No finish date yet. Put together bid documents; should be done by fall.
 2. Gene Bushmann had questions from previous meeting. Charlie provided information.

3. Gene Bushmann asked for a brief summary of SHPO's archeological survey requirement. Requirement applies only for the loop area (old baseball diamond). Charlie Brzuchalski stated that can proceed when the clearance letter is received from SHPO. SHPO required submission of the trail alignment and photographs of the area.
- e. Historic Area Project Update – FMDC Staff
1. Cathy Brown provided an update on the historic area project. Met with Senator Kehoe, Representative Bernskoetter, and Representative Barnes to make sure they are informed on the project, and they want to be involved. Tried diligently in the last six months to make sure stakeholders are informed and working together. Continue to want to work in partnership with the MSPRC. Many ideas on what to do in the historic district. Waiting on final solution on property ownership. Felt it was important to have meeting with stakeholders to discuss SEP money. Still waiting to find out if we will receive the \$1.2 M in SEP funding, which will require match money to replace the roof on housing unit 4. Hope to get update soon on SEP funding. Intent is to continue to partner together to work through issues. Gene Bushmann asked if housing units 1, 3, 4, are included. Cathy stated that initially housing units 1, 3, and 4 were all included designating them as museums. Waiting for confirmation and hope to have in near future. Michael Berry asked who makes decision. Cathy stated that the decision is based on several entities. SEP funding has restrictions on usage. It is stimulus funding, which is routed through the Department of Natural Resources' State Energy Program. Majority of funding has been disseminated out into municipalities and private companies for energy initiatives. There are a lot of variables that entities have to evaluate to see if this project is feasible to receive funding. Gene Bushmann asked if Cathy was satisfied that city/county will come up with their part of funding. Cathy stated that excellent discussions have been held with city/county and that approval will be required from city council and county commission to commit funding. Both the city and county have been very receptive to participate in the partnership to bring the facilities up to an acceptable standard and address the deferred maintenance on the structures. Cathy is hopeful that both the city and county will continue to cooperate; currently waiting on SEP funding status.
 2. Dan Carr pointed out an area on the map for clarification on what is being done. Charlie Brzuchalski stated that work is resulting directly from reconstruction as a result of the demolition.
- f. Condition Assessment Housing Unit 2 and 5 – FMDC Staff
1. Charlie Brzuchalski updated information on Phase 2. There was originally a concern about mold, asbestos, and lead in the two buildings. It turns out there is much less asbestos than thought. Abatement will cost less. There is some deterioration to address in both buildings. Charlie pointed to areas of buildings

where deterioration has occurred. Mold in lower level rooms of housing unit 2. Have ventilation in the buildings. Similar issues with housing unit 5. Downspout missing causing deterioration on brick. The roof area is intact; shedding more water than housing unit 2. Not getting worse, but there is some water damage. No funding or manpower to address issues.

V. Old Business (Pending items from previous meetings)

- a. Kathy Peerson asked about the status of the vacancies on the MSPRC. Cathy Brown advised that there are currently two state vacancies (appointed by Governor) on the MSPRC. Actively trying to fill vacancies. Appointees have to be from outside of Cole County.
- b. Dan Carr asked for the schedule of appointments/term expirations for the city and county commissioners to be sent to him. Charlie Brzuchalski will send the schedule to the Chair.

VI. New Business Items for Discussion (Agenda items for Next Meeting)

- a. Closed Meeting for RFP discussion – Gene Bushmann/John Sheehan will schedule
- b. Meeting with city/county/State (OA) on street alignment – Michael Berry will talk to new mayor
- c. MSPRC Commissioner Term Expirations listing
- d. MSPRC Meeting Schedule for 2011
- e. Tour of Federal Courthouse for MSPRC Members on March 23

VII. Motion to adjourn. Adjournment at 2:15.

Next Meeting: March 23, 2011

Truman State Office building
Room 850
Jefferson City, MO