

Public Arts Board

Minutes – November 16, 2016

Meeting called to order at 6:39 PM

A) Roll Call –

Members Present: Barbara Heller, Maggie Mettler, Linda Wells, Mary Roberts

Members Absent: Phyllis Klinger, Anne Ritchie, Eva Suchara (Student Representative)

Administration: Sean Campbell, Assistant City Planner,
Jana Ecker, Planning Director

Jana Ecker, Planning Director, introduced herself to the Public Arts Board as well as the two audience members, Cindy Rose and Heather Duggan.

B) Approval of Minutes – October 19, 2016

Motioned by Linda Wells, seconded by Mary Roberts, to approve the October 19, 2016 minutes with the following changes:

The addition of the sentence "The Public Arts Board welcomed new member Mary Roberts to the board." under Section A, Roll Call.

The change of the number Yeas from 4 to 5 under section B , Approval of Minutes.

The omission of the word "But" in the second paragraph under section C, Unfinished Business, Gary Kulak Sculpture "Pride" – Circular Pad.

The capitalization of the "S" in "since," and the omission of the words "up front" in the third sentence of the second paragraph under section C, Unfinished Business, Gary Kulak Sculpture "Pride" – Circular Pad.

The omission of "a", addition of "s" to the word "donor," addition of "s" to the word "contribution" and the replacement of the sentence "to pay for the construction of the pad" with "towards the cost of" in the third paragraph under Section C, Unfinished Business, Gary Kulak Sculpture "Pride" – Circular Pad

The insertion of the words "next fundraising" between "the" and "tournament," and elimination of "instead of having it flush with grade" in the first sentence of the fourth paragraph under Section C, Unfinished Business, Gary Kulak Sculpture "Pride" – Circular Pad

The elimination of the word "stay" in the second sentence of the fourth paragraph under Section C, Unfinished Business, Gary Kulak Sculpture "Pride" – Circular Pad.

The insertion of ", 2016" after the date of "October 27" in the fifth paragraph under section C, Unfinished Business, Gary Kulak Sculpture "Pride" – Circular Pad

The insertion of the words "to pay" between "\$5,000" and "for", elimination of "and" between "chalk" and "have," and elimination of "and" between "come" and "do" in the first sentence of the first paragraph under Section D, New Business, Chalk Project.

The insertion of ", 2017" after "May and June" in the second sentence of the first paragraph under Section D, New Business, Chalk Project.

The insertion of "next fundraising" between "the" and "tournament," the omission of "still" and "held," and the insertion of ", 2016" after "December 21st through 24th" in the first sentence of the first paragraph under Section D, New Business, PAB/CCBB Charity Poker Tournament.

The omission of the words " for the tournament", elimination of the "n" in "an" to read as "a," and insertion of "CCBB" between "a" and "address" in the second sentence of the first paragraph under Section D, New Business, PAB/CCBB Charity Poker Tournament.

The replacement of "CCBB" with "Fire & Ice, LLC" in the third sentence of the first paragraph under Section D, New Business, PAB/CCBB Charity Poker Tournament.

The replacement of "CCBB" with the words "They have," and replacement of the words "location of the fundraising event" with "venue" in the first sentence of the second paragraph under Section D, New Business, PAB/CCBB Charity Poker Tournament.

The insertion of "2017" after "January and March," and the insertion of "2016 fundraiser" after "December" in the second sentence of the second paragraph under Section D, New Business, PAB/CCBB Charity Poker Tournament.

The insertion of "2017" after "April and June" in the third sentence of the second paragraph under Section D, New Business, PAB/CCBB Charity Poker Tournament.

The insertion of "Birmingham" before the item "In Stitches" (thenceforth "Birmingham In Stitches") under Section D, New Business.

The insertion of "Birmingham" between "last" and "In," and the omission of the words "around Birmingham" in the first sentence of the first paragraph under Section D, New Business, Birmingham in Stitches.

The replacement of the words "were approved for being" with "can be" in the third sentence of the first paragraph under Section D, New Business, Birmingham in Stitches.

The omission of the words "from the previous event" in the first sentence of the second paragraph under Section D, New Business, Birmingham in Stitches.

The replacement of the words "so that" with "because" in the second sentence of the second paragraph under Section D, New Business, Birmingham in Stitches.

The insertion of ", 2017" after "October" in the second sentence of the third paragraph under Section D, New Business, Birmingham in Stitches.

The omission of "with", replacement of "of" with "for," and insertion of "Birmingham" before "In Stitches" in the fourth paragraph under Section D, New Business, Birmingham in Stitches.

Yeas: 4

Nays: 0

C) Unfinished Business

Updates on Gary Kulak Sculpture

Sean Campbell updated the Board on the recent correspondence regarding Gary Kulak's application to loan his sculpture "Pride" to the City. Mr. Campbell explained that it could not go before the City Commission due to the missing proof of insurance and/or funding for insurance, proof of funding for the foundation and installation of the sculpture, the approval of all relevant City departments, and an executed loan agreement.

Ms. Heller advised that in order to ~~obtain~~ **write** a contract under the CityScapes program, the Cultural Council **would** need copies of all the existing artist agreements. Mr. Campbell explained that only four artist agreements from 2008 were located in the City files. Ms. Heller explained that many of the loans' terms of agreement were originally for 18 months, later amended for two years, and then finally amended to stay up until the donors wished to remove their sculptures. There is currently no paperwork to corroborate this.

Jana Ecker remarked that Mr. Kulak's sculpture did not go through CityScapes and that the Public Arts Board had asked it to be put through the program. Ms. Heller was not clear as to why the sculpture needed to go through the City first. Ms. Ecker explained that there are two tracks for getting sculptures approved and installed: the first is for the artist or donor to apply directly to the City for a permanent donation; the second for the CCBB to have a call for entries in which sculptures are selected on a competitive basis and subsequently forwarded to the PAB as a loan to the City. Ms. Ecker advised that Mr. Kulak's application to loan his sculpture came directly to the City, and further, there has not been a CityScapes call for entries in the past few years.

Ms. Ecker informed the Board that Mr. Kulak recently submitted an email indicating the withdrawal of his loan because he did not agree to provide the required insurance and evidence of funding for the concrete pad. Ms. Heller was still unclear as to why the loan came directly to the City and could not recall an instance in which that was done in the past. Ms. Ecker explained that a sub-committee was set up between CCBB and the PAB that organized calls for entries in the past and decided which sculptures could be recommended to the Public Arts Board. It was determined that the subcommittee has not met since 2011.

Ms. Heller recalled that a former Board member, Sally Parsons, was also on the CCBB and acted as a coordinator for CityScapes. Ms. Ecker inquired who the current key contact person is at CCBB. Ms. Heller indicated that Laurie Tennent is the key contact person that the board coordinates with when organizing fundraising events for the CityScapes program. Ms. Ecker proposed having a Ms. Tennent or another CCBB

representative attend the next PAB meeting to answer questions about issues regarding insurance and to discuss how to move the sculpture program forward in the future.

Ms. Heller recalled the Board had always made the recommendation to the City Commission for a location first and then the CityScapes contracts would be executed. Ms. Ecker explained the contracts and proposed locations are required when the sculpture goes to the City Commission. Ms. Heller questioned what happens if a contract is in place but the City Commission doesn't approve of the location. Ms. Ecker explained that the contract is then revised and brought back.

Ms. Heller stated that the process has changed since its inception, and she has reservations with securing a CityScapes artist agreement before forwarding the sculpture to the City Commission. Ms. Heller added that she had never seen an artist agreement contract before it was sent to the Commission.

Ms. Ecker suggested that she will reach out to the key contact Laurie Tennent to request her attendance at the next meeting to help establish a clearer procedure between the CCBB and PAB for the Cityscapes program. The Board could also discuss the formation of a subcommittee to coordinate CityScapes effort more efficiently.

Board members discussed making a budget request to help pay for the installation costs of sculptures donated to the City in the future. The exact amount will be determined and formally requested at the next meeting.

Birmingham In Stitches

Mr. Campbell advised that before the dates and venues for the yarn bombing can be forwarded to the City Commission for approval, a Special Event Application must be completed. The Board would like to have the event start by the beginning of the art fair in September 2017 and last up to three weeks. Anne Ritchie agreed to chair the program at the October 19, 2016 meeting. Ms. Heller reported that she spoke with one of the artists from the 2015 event and that she is willing to volunteer again in 2017.

The Board agreed upon all of the proposed venues for the 2017 event. Mr. Campbell agreed to produce a map of the venue locations and fill out the Special Event Application. Ms. Ecker stated the application will be presented to the board for approval at the next meeting.

D) New Business

The board agreed to hold its regular meetings on the third Wednesday of every month in 2017 except for December due to Hanukkah.

Mr. Campbell raised the issue that the December 21, 2016 meeting would conflict with the first day of the PAB/CCBB Charity Poker Tournament **Fundraiser**. Since no other dates would work for the members in December, the Board decided to hold a tentative special meeting on either November 28 or 30, 2016 to address the CityScapes issues and make budget requests. Anne Ritchie and CCBB representatives will be contacted for their availability on these dates.

Motioned by Linda Wells, seconded by Maggie Mettler, to approve the meeting dates for 2017 and to hold a tentative special meeting on either November 28 or 30, 2016.

Yeas: 4 Nays: 0

F) Communication

Ms. Heller indicated that she has been in contact with an artist who is interested in donating a fish sculpture. She cautioned that the piece contains glass and may not be winter safe. Ms. Ecker, while encouraging Ms. Heller to keep communicating with the artist, had advised waiting until a CityScapes procedure was put into place before asking her for a loan.

(H) Public Comments

Cindy Rose, on behalf of Community for Barnum Park, stated she would like to see a concrete pad go into Barnum Park, with or without an approved sculpture. Ms. Ecker warned that if a concrete pad is constructed without a sculpture, the pad may not be sufficient once a sculpture has been approved for that site. Ms. Heller mentioned that trees were removed from the triangular space and that the Parks and Recreation Master Plan supports the concept of public art in Barnum Park.

Ms. Ecker spoke with Lauren Wood from DPS who advised that no funding is currently in the budget for a pad and they would have to either request that money from City Commission or pull it from somewhere else.

Ms. Rose also brought up the issue of the soil borings that would be required prior to any pad going in that space. She would like for the Building Department to advise what needs to be done and how much it would cost.

Ms. Ecker asked Ms. Rose to indicate in writing that the Community for Barnum is willing to pay for half of the installation costs up to a specified maximum. Ms. Ecker further advised that she would talk to the Building Department about the soil sampling in Barnum Park and what it would cost.

Ms. Rose disputed the comment about the sculpture being an attractive nuisance when light poles, playground equipment, and other sculptures could fit under that description. Ms. Ecker clarified that the City Commission will determine if such a nuisance would be created, not City Staff.

G) Adjournment

Motion to adjourn by Linda Wells, seconded by Maggie Mettler.

Yeas: 4

Nays: 0

The meeting was adjourned at 8:06 PM