



151 Martin St., Birmingham, MI 48009
248-530-1800

NOTICE OF MEETING - PUBLIC ARTS BOARD

PLEASE TAKE NOTICE that a meeting of the Public Arts Board will take place on **Wednesday, August 15, 2018 at 6:30 p.m.** in conference room 202/203 of the Municipal Building. Approved minutes of this meeting will be available on the City's website at www.bhamgov.org.

THIS NOTICE IS GIVEN in accordance with Act 261, 1968 Public Act 267.

MEETING AGENDA

****** Board members who are not able to attend this meeting are encouraged to notify the staff representative in advance for consideration of a quorum. ******

- A. Roll Call
- B. Approval of Minutes – July 25th, 2018
- C. New Business
 - 1. **Group Reports**
 - 2. **Sculpture Loan Addendum**
 - 3. **Farmers Markets**
- D. Communication
 - 1. **Installation of *Sound Heart***
 - 2. **Installation of *Eastern Hophornbeam***
- E. Public Comments
- F. Adjournment

Upcoming PAB Meeting: October 24th, 2018

NOTE: Persons with disabilities that may require assistance for effective participation in this public meeting should contact the City Clerk's Office at the number (248) 530-1880, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

Las personas con incapacidad que requieren algun tipo de ayuda para la participacion en esta sesion publica deben ponerse en contacto con la oficina del escribano de la ciudad en el numero (248) 530-1800 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un dia antes de la reunion para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias.

Public Arts Board Minutes

Rooms 202 & 203 Birmingham City Hall – July 25th, 2018

A. Roll Call:

Members Present: Rabbi Baruch Cohen, Monica Neville, Linda Wells, Barbara Heller, Jason Eddleston, Amelia Berry (Student), Cole Wohlfiel (Student)

Members Absent: Mary Roberts, Anne Ritchie

Administration: Brooks Cowan, City Planner

B. Approval of Minutes – June 20th, 2018

Motion to approve the meeting minutes as amended for June 20th, 2018 was made by Jason Eddleston, seconded by Monica Neville.

Yeas: 5 Nays: 0

The motion carried.

C. Committee Report

The Public Arts Board committee reports began with the alleys and passages groups. Rabbi Baruch Cohen indicated that he would like to get ahold of the property owners along the alleys of Café Via and 220 Merrill. Mr. Cowan indicated he would look that up and get back to him in an email.

The branding group indicated concern about handing out pamphlets and selling posters with images of loaned sculptures without consent from the artist. Mr. Cowan said that the City Attorney has been made aware of this and is currently working on an addendum to the sculpture loan agreement between the artists and the City.

Monica Neville also brought up potential poster and pamphlet designs. There was general consensus to let the branding committee pick their favorite designs without Board Approval. The Public Arts Board agreed that they trust the professional judgement of the members of the branding group and did not want to bog down the decision making process. The committees were created to allow more productivity and autonomy in decision making.

Public art tours and lectures indicated changes for the public art map and indicated that plans are a work in progress.

Art gallery tours had no update.

Artistic self-expression indicated they plan on attending the upcoming Day on the Town and Farmers Market Meetings.

Free pianos indicated they would like a map of potential sites around Birmingham for Piano's to be placed.

D. New Business

The BSD indicated it has space for the Public Arts Board to have a table and tent at the Day on the Town event. They will have a table with a Cityscapes handout as well as easels for people to draw on. The Public Arts Board indicated they are interested in participating and will have enough volunteers to staff the event. The BSD also provided available dates for the Public Arts Board to participate in the City Farmers Market, which the Board indicated they were also interested in participating in. Mr. Cowan said he would send out a sign up sheet for each event with time slots.

Communication

Kroger notified the Planning Department that they have received architectural renderings for the installation of *Soundheart*. Now they need budget approval for installation costs in order to proceed with the last step of installation.

Robert Lobe, artist of the Eastern Hophornbeam has been in contact with City officials about installation requirements for his sculpture to be placed in Booth Park.

E. Adjournment

The meeting adjourned at 7:15 pm

Brooks Cowan
City Planner

DATE: August 15th, 2018

TO: Public Arts Board Members

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Project Group Reports

Members of the Public Arts Board have previously prioritized projects that they would like to pursue, and indicated which projects they would like to volunteer for. On May 16th, 2018, Board members were divided into groups. On June 20th, 2018, each group presented a general outline of short term and long term goals, an implementation plan, and a budget request. There was general consensus that each project group would provide updates each meeting related to their project.

- Alleyway Project: Rabbi Cohen, Jason Eddleson, Cole Wohlfiel, Amelia Barrie
 - Potentially schedule a meeting with adjacent property owners of desired allies for activities
- PAB Branding: Monica Neville, Anne Ritchie
 - Finalizing brochure and poster designs
 - City Attorney is finalizing addendum to sculpture loan agreement
- Public Art Tours & Lectures: Barbara Heller and Linda Wells
 - Finalizing map, also waiting for two new installations
- Art Gallery Tours: Rabbi Cohen and Jason Eddleson
 - Plans in progress
- Artistic Self Expression: Natalie Bishai, Rabbi Cohen, Amelia Berry, Cole Wohlfiel
 - Farmers Market events planned for August 19th, September 2nd, and September 30th.
- Free Pianos: Jason Eddelson, Rabbi Cohen, Amelia Berry
 - Plans in Progress
 - Waiting for map of potential piano locations



MEMORANDUM

Planning Division

DATE: August 15th, 2018
TO: Public Arts Board Members
FROM: Brooks Cowan, City Planner
APPROVED: Jana Ecker, Planning Director
SUBJECT: Addendum to Loan Agreement

The Public Arts Board marketing group has expressed interest in creating pamphlets and posters which include photos of sculptures on City property. Some of these sculptures are on loan, and the former loan agreement with the City did not address commercial use of images of sculptures.

To address the situation, the City Attorney has drafted an addendum to the sculpture loan agreement. There are eight sculptures on loan within the City, therefore eight addendum's have been prepared to be signed by the artists. Once this has been accomplished, the marketing group will be able to administer marketing material with images of other artists' loaned materials. Future loan agreements will include this amendment from the beginning. Attached is an addendum example for Gary Kulak's "Windswept."

**ADDENDUM TO SCULPTURE INSTALLATION AND MAINTENANCE
AGREEMENT**

This Addendum made this ____ day of _____, 2018, by and between the City of Birmingham, Oakland County, Michigan (hereinafter called the “City”) and Gary Kulak Sculpture LLC of Birmingham, Michigan (hereinafter called the “Owner”).

WHEREAS, the City and Owner entered into a Sculpture Installation and Maintenance Agreement on _____, 201_ (“Contract”) for Owner to install and maintain the “Pride” sculpture at Barnum Park;

WHEREAS, the Contract provides that owner retain ownership of the sculpture;

WHEREAS, the Owner shall be responsible for all maintenance and conservation of the Sculpture at his own expense;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That paragraph 3 of the Contract shall be, and here by is, amended to read as follows:

Owner shall retain ownership of the sculpture and may, in accordance with the terms and condition of this Agreement, remove the Sculpture from Burnum Park at any time, for any reason. City may reproduce and use the sculpture in digital form for any commercial or noncommercial promotion materials. Owner waives any rights to payments from the sale of any City promotional materials that feature the sculpture.

2. All other provisions in the Contract are unaffected and shall remain in force.

3. This Addendum and the Contract shall be construed in accordance with the laws of the State of Michigan.

4. This Addendum shall supplement the Contract. No modification of the Contract or this Addendum shall be binding upon the parties unless in writing and signed by both parties.

5. In the event of any inconsistencies between this Addendum and the Contract, this Addendum shall be deemed controlling.

IN WITNESS WHEREOF, the parties execute this Addendum.

WITNESSES:

OWNER: Gary Kulak Sculpture LLC

By: _____

Name: Gary Kulak

CITY OF BIRMINGHAM:

Cherilynn Mynsberge, City Clerk

By: _____

Andrew Harris, Mayor

APPROVED:

Joseph A. Valentine, City Manager
(Approved as to substance)

Timothy J. Currier, City Attorney
(Approved as to form)

Lauren A. Wood, Director of Public Services
(Approved as to substance)

Mark Gerber, Director of Finance
(Approved as to financial obligation)



MEMORANDUM

Planning Division

DATE: August 15th, 2018

TO: Public Arts Board Members

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Farmers Market

The Birmingham Shopping District has indicated that there is space for the Public Arts Board to set up a table and a few drawing easels at the Birmingham Farmers Market on August 19th, September 2nd, and September 30th. The Public Art Board members needs to delegate volunteers for these days.



MEMORANDUM

Planning Division

DATE: July 18th, 2018
TO: Public Arts Board Members
FROM: Brooks Cowan, City Planner
APPROVED: Jana Ecker, Planning Director
SUBJECT: Installation of *Soundheart*

Kroger has been in contact with the City on the whereabouts of the sculpture. They were obtaining a quote for delivery and installation at the Kroger site. They were informed that the sculpture is at the DPS site, and the Planning Department was notified by DPS that a Kroger employee stopped by DPS to inspect the sculpture.



MEMORANDUM

Planning Division

DATE: August 15th, 2018

TO: Public Arts Board Members

FROM: Brooks Cowan, City Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: Installation of *Eastern Hophornbeam*

The installation plans have been approved by all necessary departments. Robert Lobe has indicated that he would like to install his sculpture on August 21st.