

Town of Blowing Rock

Request for Council Action

FROM: Town Manager – Ed Evans
SUBJECT: Public Art Policy Draft
TO: Town Council
DATE: August 8, 2017
REQUESTED BY: Town Manager – Ed Evans

Public Hearing Yes No Will be required
Properly Advertised Yes No Will be required

BACKGROUND:

Council endorsed having Art Consultant, Jean Greer, come to Blowing Rock to address Council and the community stakeholders in reference to public art. She visited sites in Town and reviewed status reports with the NC DOT staff and presented a Power Point Presentation at our Regular Town Council meeting on April 24, 2017. The presentation was entitled: *Overview of Public Art Practices*.

During the presentation, Ms. Greer recommended that we develop a Public Art Policy to guide us for future art display decisions and gave us a sample art policy from Durham, NC.

The draft policy following was developed by input from several sources and was drafted by Attorney, John Aldridge. He was aided by Lee Carol Giduz, sample art policies, including the sample provided by Ms. Greer from Durham, NC. Additionally, the town manager provided input. Thank you, John Aldridge, for drafting this policy.

STATEMENT OF PLAN CONSISTENCY:

It is the opinion of staff that the proposed action IS IS NOT consistent with the Comprehensive Plan for Blowing Rock.

ATTACHMENTS:

1. Public Art Policy - Draft

STAFF RECOMMENDATIONS:

Town Council discuss the policy presented and determine if it meets the needs of the Town and approve if this represents Town interests appropriate

COUNCIL ACTION:

RESOLUTION ESTABLISHING A PUBLIC ART POLICY

WHEREAS, the Town Council of Blowing Rock believes that that a public art policy is important to the social, cultural and economic health and vitality of the Town of Blowing Rock;

WHEREAS, the Town Council wishes to create and establish a policy which will encourage the creation and installation of public art in Blowing Rock, through both public and private initiatives;

WHEREAS, the 2014 Comprehensive Plan Update prioritized the development of a “plan for the installation of public art throughout the community, with a particular emphasis in areas along major corridors through town and in the downtown area”;

WHEREAS, approximately 500 state, county and municipal public art programs have been adopted in the United States, including multiple programs throughout North Carolina;

WHEREAS, a transparent policy for administering the public art process, including procedures for the review and selection of public art works by qualified members of the community, and the recommendation of such works to the Town Council, will foster quality public art installations in Blowing Rock; and

WHEREAS, the Town Council desires to create a resource which can be used in the future, at the option of the Town Council, to fund public art projects in Blowing Rock;

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Blowing Rock does hereby adopt the following Public Art Policy:

1. DEFINITIONS.

A. "Public Art" is hereby defined as:

- i. single edition, original visual art including, but not limited to, sculptures, murals, photographic renderings, and mosaics, installed on a permanent basis in spaces which are visible from public streets and pedestrian walkways, free of any admission fee; and
- ii. single edition, original visual art installed on a temporary basis, for a period of not less than three months, nor more than twelve months, in public spaces designated as public art exhibition areas for temporary installations, free of any admission fee.

B. Designated spaces for public art installations generally shall include Memorial Park, Broyhill Park, Annie Cannon Park, the Main Street corridor, the Laurel Lane corridor, the Sunset Street corridor, the Valley Boulevard corridor, areas adjacent to BRAHM, areas adjacent to the American Legion building, and such other areas as may be designated, from time to time, by the Town Council. Specific locations for public art, within these general areas, shall be recommended by the Public Art Commission (as defined below) as part of its recommendations, from time to time, of specific public art works to the Town Council.

- C. Recommendations of the Public Art Commission to the Town Council shall provide whether the recommended public art work shall be considered temporary (as defined above), or permanent. Permanent is hereby defined as the expected useful life of the structure comprising the public art work. If the work does not have a structure, permanent shall mean 25 years.

2. PROGRAM ADMINISTRATION.

- A. The Town Council shall appoint a Public Art Commission (the "Public Art Commission") which shall consist of not less than three and not more than six members serving terms designated by the Town Council. Members of the Public Art Commission shall be knowledgeable and experienced in the arts (including architecture and landscape architecture) and otherwise qualified to review and consider, and make recommendations to the Town Council, regarding proposed public art works.
- B. In the event a member of the Public Art Commission shall desire to submit a public art work created by such member, then, prior to such submission, such member shall, by written statement to the Town Council, resign from the Public Art Commission. Such resigning member shall not be eligible for reappointment to the Public Art Commission for a period of five years. Upon such resignation, the Town Council may, at its discretion, appoint a replacement member to the Public Art Commission.
- C. The Public Art Commission shall have the following responsibilities, in addition to other responsibilities designated, from time to time, by the Town Council:
 - i. to solicit proposals for public art works for Blowing Rock from qualified artists, utilizing established public art processes;
 - ii. to review and consider all public art works proposed by any individuals or entities which are to be located in Blowing Rock, taking into consideration (a) the qualifications and reputation of the submitting artist; (b) the proposed location for the proposed art (if any); (c) the visual aspects and artistic quality of the proposed art; (d) the proposed method of payment for the proposed art; (e) the identity of the donor and conditions of the donation of the proposed art if it is to be donated; (f) the maintenance and upkeep cost of the proposed art; (g) the proposed ownership of the proposed art; (h) any educational or historical aspects of the proposed art; (i) any structural integrity or any special risk or safety issues; (j) insurance requirements for the proposed art; and (k) all other considerations deemed relevant to the Public Art Commission.
 - iii. to solicit, encourage and receive public input on proposed public art works; and
 - iv. to make detailed recommendations to the Town Council with respect to any public art proposal approved by the Public Art Commission.
- D. The Town Manager shall develop detailed procedures, informational materials and application documents necessary or appropriate for the administration of this public arts policy by the Public Art Commission and the Town Council. Such materials shall include

procedures for the oversight of installation and maintenance of public art approved by the Town Council.

- E. All public art works to be located in the Town of Blowing Rock on public property or on private property leased or licensed for public art exhibition, shall be subject to the approval of the Town Council, based on the recommendations of the Public Art Commission; provided, however, disapproval of any public art recommendation made by the Public Art Commission shall require a vote of disapproval of four of the five members of the Town Council.

3. PERCENT FOR PUBLIC ART FUND.

Each fiscal year of the Town of Blowing Rock, the Town Manager shall recommend an amount, from zero percent to one percent, of the proposed capital budget for that fiscal year, to be set aside in a "Fund for Public Art," for the installation of public art in Blowing Rock. Such funds may be used:

- A. to pay for or supplement the cost of public art recommended by the Public Art Commission;
- B. for public art commissioned by the Town of Blowing Rock on the recommendation of the Public Art Commission;
- C. for the maintenance and repair of existing public art projects;
- D. for installation of temporary public art projects recommended by the Public Art Commission;
- E. for the costs of administration of this Public Art Policy; and
- F. for any other purpose related to this Public Art Policy approved by the Town Council.

4. PRIVATE DEVELOPMENT.

The Town of Blowing Rock shall encourage voluntary participation in the public art process by developers of projects on private land. Developers may participate in the public art process through on-site installations and through donations to the Fund for Public Art. Developers shall be encouraged, with respect to on-site installations, to submit the proposed art work for review by the Public Art Commission under this Public Art Policy.

5. EFFECTIVE DATE.

This Resolution establishing a Public Art Policy shall be effective upon approval by the Town Council. August 8, 2017.

J. B. Lawrence, Mayor

Hilari Hubner, Town Clerk