

CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: **R – 2008.10.22**
Resolution Re: Public Arts Acquisition Process

WHEREAS: The City of Dover would benefit from a Public Art Acquisition Process for all artwork to be accepted by the city, either into City buildings or on City property.

WHEREAS: The Arts Commission would like to advise to the Council that the City of Dover needs a Public Art Acquisition Process.

WHEREAS: The Arts Commission has drafted a Public Arts Acquisition Process as part of its rules to establish a process for evaluating artwork.

WHEREAS: A visual arts inventory for public artwork would benefit the City of Dover when considering history, value, and insurance purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The attached Public Art Acquisition and Management Process is hereby adopted by the Dover City Council as part of the Rules of the Dover Arts Commission.

AND, FURTHER BE IT RESOLVED;

An 'Artwork and Sculpture List' shall be completed by the Dover Arts Commission that contains all visual collections (and their locations and pertinent information) currently the property of the City of Dover. This list shall be maintained by the Arts Commission for reference and insurance purposes.

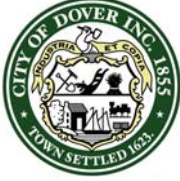
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved as to Legal Form: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

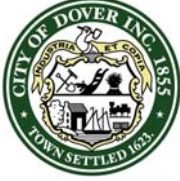
Resolution Number: **R – 2008.10.22**
Resolution Re: Public Arts Acquisition Process

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: **R – 2008.10.22**
Resolution Re: Public Arts Acquisition Process

RESOLUTION BACKGROUND MATERIAL:

In August of 2007, a representative from the Tommy Makem Family came to the Arts Commission and gave a presentation on a statue that they will be offering to the city in a year or so. This statue, whatever its location, design and it's final appearance will be, is still in the works and planned for sometime in 2009.

In September, 2007 the Economic Development Officer from the City of Portsmouth visited the Arts Commission (hereafter, "the committee") to discuss systems in place in Portsmouth and how to help the arts support economic development in the communities.. The relationship between economic development and the promotion of the Arts was inspirationally defined and elaborated for us. Also discussion was made about needing a clear process for Artwork donated to Public City buildings or property, AND for the need for guidelines and regulations for Performing Artists and their permitting process.

Shortly after this meeting, the committee was made aware of two projects that were soon to be on the City Council agenda for approval (The Joe Parks Riverwalk Public Gardens and Chestnut Hill Bridge Artwork). For both of these gifts to the City, the Arts Commission has given the City Council a positive recommendation to the Council.

It became apparent to the committee that a process was needed so that we would be more aware of what was about to be presented to the City Council, so that we would actually have time to schedule the item for review, thus allowing adequate time for recommendation/support of the project. These events prompted the committee to begin the creation of a process on arts acquisition and regulation of street artists and performers.

Over the past nine months, the committee has undertaken a process of researching arts acquisition policies from similar communities and existing documents for appropriate topics that pertain to the City of Dover. Once the research was complete, the committee began drafting a working document called the Dover Arts Protocol.

This September, the 4th Draft of the Dover Arts Protocol draft was reviewed by Alan Krans and Mayor Scott Myers. The recommendations made by Mr. Krans and the Mayor were drafted into the final Dover Arts Protocol.

Mayor Myer also recommended that the committees draft of the Dover Arts Protocol be divided into two separate documents. This made a lot of sense to the committee, as part A and part B of the Protocol really



CITY OF DOVER

CITY OF DOVER - RESOLUTION

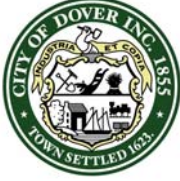
Agenda Item#:

Resolution Number: **R – 2008.10.22**

Resolution Re: Public Arts Acquisition Process

were so different and were intended to serve two different purposes. So the Protocol was divided into two documents. The first of which is now called:

1. The Public Art Acquisition Management Process, which is the attached document for the review and approval of the Dover City Council.
2. The Guidelines and Regulation for Street Performers and Street Artists. - which is still in development by the committee. And this will be a document that outlines what performers and artists need to know to apply for permits to perform or sell artwork on public property in Dover. We hope to have this document finalized and before the Council by January of 2009.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: **R – 2008.10.22**
Resolution Re: Public Arts Acquisition Process

City of Dover, Public Art Acquisition and Management Process

- SECTIONS**
- 1. ADVISORY PROCESS**
 - 2. SELECTION CRITERIA**
 - 3. PLACEMENT OF WORKS OF ART**
 - 4. RE-SITING 'SITE SPECIFIC' WORKS OF ART**
 - 5. MAINTENANCE OF PUBLIC ART**

The Dover City Council recognizes the need for a advisory and criteria process through which all public artwork, both future or existing can given a recommendation by a public committee before being presented to the City Council for approval.

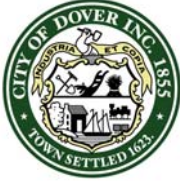
SECTION 1. ADVISORY PROCESS

- a. All purchased, donated or commissioned artwork must be presented for approval to the City Council by the Dover Arts Commission. The Arts Commission will act as an advisory board, giving recommendation to either to accept or not accept the work of art.
- b. The Arts Commission must see and examine each work of art before it is to be presented to the City Council. to accept it into the town collection. If physical examination is not practical, photographs with all explanation information on the work of art will be considered as an alternative.
- c. The Arts Commission will present for approval to the City Council any “estate bequests” left to the City of Dover.
- d. The Arts Commission will document the condition of each work of art being donated.
- e. The City shall not be bound to accept any gift with conditions placed upon the accepting of the work of art, i.e.: where or how to exhibit, how to frame or care for the work of art, etc.
- f. The Arts Commission will make recommendation on how to restore, house, or care for the work of art that has been acquired for the city’s collection.

SECTION 2. SELECTION CRITERIA

--A. Criteria to be used for acquisition of artwork by either purchase or commission shall include:

1. Historical Significance
 - 1) Context. The architectural, historical, geographical and/or sociocultural context of the site/artwork.
 - 2) Preference will be given to works of art created by a living or deceased artist who has a connection to Dover.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: **R – 2008.10.22**
Resolution Re: Public Arts Acquisition Process

- 3) Works with appraisal documents will be encouraged since the valuation is essential for insurance purposes.
 - 4) Works which because of their historical importance and or value, do not fit the above criteria
2. Content / Artistic Merit
- Content. Artwork must be appropriate (Section 1) and will be reviewed by the Arts Commission and submitted to the City Council for final approval.
 - Artistic quality. Strength of the concept, vision and craftsmanship of the artwork.
 - Media. All art forms including disciplines and media that are temporary and which survive only through documentation after the life of the piece has ended.
 - Diversity. Artwork that is diverse in style, scale, and media, and ranges from experimental to established art forms; also refers to artists from assorted backgrounds and ranges of experience.
 - Duplication. Artwork is unique and an edition of one or of a limited edition.
3. Feasibility
- Artist's ability to successfully complete the work as proposed based on experience, durability of materials, project budget, timeline, and city/county zoning/construction/design guidelines
 - If the condition of the proposed gift is such that it places an excessive cost burden on the city to house, restore, frame, or repair, the Arts Commission may recommend that the City decline the gift.
 - Longevity. The structural and surface soundness and inherent resistance to theft, vandalism, weathering, and excessive maintenance or repair costs.
 - Public Safety. Meets City building, electrical and other codes for safety.

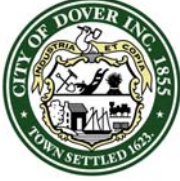
--B. Public Art Murals

Additional criteria for recommending public art murals on public property include:

1. Durability. Requires a lifetime expectancy of 5 years.
2. Artistic merit. Demonstrated strength of artist's concept and craftsmanship as well as originality of proposed mural; appropriateness of scale to the wall upon which mural will be painted/attached and/or to the surrounding neighborhood; and architectural, geographical, sociocultural and/or historical relevance to the site scale.
3. Feasibility. Demonstrated ability to complete the proposed mural on time and within budget.

SECTION 3. PLACEMENT OF WORKS OF ART

A. The location or placement of all purchased, donated, or commissioned artwork must be recommended by the Dover Arts Commission and approved by the City Council.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: **R – 2008.10.22**
Resolution Re: Public Arts Acquisition Process

SECTION 4. RE-SITING 'SITE SPECIFIC' WORKS OF ART

--A. The Arts Commission may recommend re-siting a site specific artwork for one or more of the following reasons:

1. The condition or security of the artwork can no longer be reasonably guaranteed at its current site.
2. The artwork has become a danger to public safety in its current site.
3. The site has changed so that the artwork is no longer compatible as placed.

--B. Once the Dover Arts Commission has determined that an artwork meets one or more of the above criteria, it initiates the following process:

1. The Community Services Director, Department Head, or the Director of that Public Building, makes a good faith attempt to discuss re-siting with the artist.
2. If the artist agrees to the proposed re-siting, CS Director refers the recommendation to the Arts Commission for approval, as an advisory board to the City Council.
3. If the artist does not agree to the proposed re-siting, he/she has the right to prevent the use of his/her name as the author of the artwork.

--C. Once this process is complete, the Dover Arts Commission recommends the proposed re-siting to the City for approval.

SECTION 5. MAINTENANCE OF PUBLIC ART

--A. The Community Services Director, or the Director of that Public Building, is responsible for the public art collections' documentation and management, as well as the care, handling and long-term maintenance.

--B Overall Arts Inventory of public art within all Dover City buildings and on Dover City property, Is to be maintained by the Arts Commission.