

Rogers Planning Commission

Rogers Historic District Commission

The origin of the idea of a Rogers Art Council occurred when several local downtown business owners approached Poor Richards Art Gallery to commission artists to create one or more sculptures to visually enhance the business district. At the present time there is not a mechanism for public art to be placed on city property.

Several options are possible. The Planning Commission develops policies and procedures for donation of public art.

Create a Rogers Art Council to assist in making policy and procedures for donation of public art and recommend to the Planning Commission. The advantage to this would be the council would be composed of artists, architects, gallery owners, and citizens with interest in the arts.

The Design Committee of the Rogers Main Street came up with the ideas of an Arts Council by researching online and talking with several organizations. Fayetteville has had an Art Council since 2007 and the ordinance was used as a foundation of our work but it should be adapted to fit the needs of Rogers.

Bentonville is in the process of developing an Art Council and we have been in communication with them.

Rogers Arts Council

1. Purpose

To propose policy and guidelines for public art within the city of Rogers and recommend them to the city council and Mayor. These policies would be to encourage the planning and placement and maintenance of public art in locations open to the public within the community and perform other duties defined by the rules and procedures.

Alternative to above-- Advise the city council on ways in which city government might best serve the public with regards to matters involving visual art on community property.

Members- comprising visual and performing artists, art professionals, and citizens of diverse backgrounds, 2 or 3 should be artists (architect, dance, drama, film, literature, music, visual artist. Representatives from Parks (1) and Streets (1) Planning. Gallery Owners, Council member and or Mayor. Cultural citizen at large(2).

Selection of members either initially or if vacancy occurs- Either or-Arts Council, Main Street, City Council, Mayor.

Terms 1-3 yrs. May be able to be reelected.

Meetings—decided by members of the Arts Council as to date, time and frequency. All open to public. 48 hr notice must be given to members and public of special meetings.

Voting—majority of members present.

Removal—2/3 vote of arts council. Mayor or City Council may remove also.

to be significant of the individual, community or event being memorialized. Memorial proposals should represent the values of the community and be mindful of future generations. The artist must complete the attached form and submit it to the City of Rogers Planning Department. Description of the project, as well as a biography of the artist, is to be included. The memorial should be designed by a qualified professional in the field appropriate to the size, scale and complexity of the proposal. The Rogers Arts Council and the Rogers City Council will reject display works of art that are obscene (as defined by A.C.A. § 5-68-302 *et seq.*) or violate other local, state or federal laws.

2. Site: All proposed public art; monuments or memorials must relate to and support their proposed site and/or community.

While appropriate memorials may enrich a citizen's experience on public property, public open space is also a very precious commodity. Public art, monuments and memorials should be carefully reviewed to balance these two public benefits to protect the greater good. Any party proposing to install public art, monuments or memorials must propose three (3) feasible sites for their project along with an explanation of the significance and relationship to each site. A location may reach a saturation point and it may be appropriate to consider limitations or a moratorium of future art works or memorials at this particular location or area. Please consider the following when choosing a project site:

- a. The location will not interfere with existing and proposed circulation, use patterns or master plans.
- b. The quality, scale and character of the project is at a level commensurate with the particular location or setting.
- c. The project contributes to the proposed site location from a functional or design standpoint.

III. APPROVAL PROCESS

In order for donated art work, monument, or memorial to be accepted by the City of Fayetteville, each request must be reviewed in the following process.

1. Initial Feasibility Consultation: Applicants desiring to place art work, monument, or a memorial project on public property must submit a letter to the City of Rogers Planning Staff that outlines in sufficient detail the main purpose and concept of their proposal. Staff will schedule a feasibility consultation with the applicant and advise of this procedure. Planning Staff reserves the right to submit proposals that are substantial or significant in size or scope to the Rogers Arts Council for their approval of the project's concept before embarking on further costly planning and study.

2. Written Proposal: After the consultation meeting with Planning Staff, the applicant must complete the attached form. Applicant may be required to review the plans with the Engineering Division in order to comply with City regulations. (e.g. right-of-way, property set-back requirements, grading permit, etc.) A maintenance plan developed and approved by a conservator must also be submitted prior to final approval.

3. Proposal Review, Approval, Modification or Rejection: The Rogers Arts Council will meet to review the proposal and schedule the applicant for a presentation of the project in order to make a recommendation to the City Council regarding the quality, validity and significance of the requested art work, monument or memorial to be placed on public lands. The Rogers Arts Council will consider appropriateness of the site location, size, shape and design, as well as general aesthetics in its review. The Rogers Council will review the project to determine:

The Rogers Arts Council will recommend approval, approval with modification, or rejection of the project. Rogers Arts Council's recommendation to reject the proposal is final unless the City Council requests a review.

If approved, the Rogers Arts Council will request the applicant to complete the following steps prior to submittal to the City Council if deemed necessary.

- a. Prepare any additional submission requests as required by City Staff or the Rogers Arts Council.
- b. Provide evidence of financing or fund raising activities.
- c. Submit proof of insurance requirements for review by City Staff.
- d. Notify and present the project to the appropriate neighboring community groups or business associations that may be affected by the location of the project.
- e. Provide the Rogers Arts Council with comments and feedback from these organizations.
- f. Provide additional site plans, detailed design, schematic drawings and information as deemed necessary.
- g. Finalize engineering, structural or other similar review of the project with appropriate City Staff.

4. Legal Department Review and Documentation: If the Rogers Arts Council should recommend accepting an offer of donation, the Rogers Arts Council will forward the project to the City Attorney for review and/or preparation of title transfer documents acceptable to the City.

5. City Council Approval: The Rogers Arts Council will prepare and submit the City Council Agenda Item. If approved, City Council will execute a formal resolution including any conditions to be placed on the donated project and approve a

IV. RETENTION POLICY:

Donated item(s) will be retained in the City's Public Art Collection so long as they:

- a. Continue to be relevant and useful to the purposes and activities of the City.
- b. An appropriate site for public display is available.
- c. A public safety problem is not created by the project.
- d. No adverse environmental effects are created.
- e. Project remains authentic and original.
- f. The project withstands exposure to the natural elements.
- g. Project can be properly and cost-effectively stored, maintained, preserved, and/or used.

V. DEACCESSIONING POLICY:

Deaccessioning of donated item(s) may be considered when the conditions identified in the Retention Policy no longer prevail, or in the interest of improving the quality of the Public Art Collection. Examples of situations where deaccessioning would be considered include:

- a. The item(s) has deteriorated beyond a reasonable means of conservation or in deteriorating, has lost its usefulness.
- b. The authenticity, attribution, or genuineness of the item(s) is determined to be false or fraudulent.
- c. The item(s) is redundant or is a duplicate that has no value as part of a series.
- d. The item(s) is located in an area where jurisdiction will be transferred to

Another entity or is made inaccessible to the public.

Consensus: Donated items which have been accepted into the City's Public Art Collection will be deaccessioned only at the direction of the City Council, which shall consider the

item(s) is deaccessioned. Destruction of the item(s) may be considered where the physical condition of the work is severely deteriorated or will be irreparably damaged by the deaccessioning process.

Records of Public Art and Other Property: The City will be responsible for maintaining a data base in the City Clerk's Office of all Public Art Collection items acquired by the City under this policy. The database and/or files will include the following information:

- a. Copies of all correspondence and submittals from the donor(s);
- b. Copies of all correspondence and submittals to the donor(s) from the City;
- c. Copies of all executed title documents;
- d. Copies of all other documentation associated with a particular item(s), including but not limited to: drawings, photos, written descriptions, estimates of costs associated with acquiring, maintaining, providing security and legal expenses, etc.; any agreements between the City and donor(s) regarding the item(s); all estimates of value and appraisals, any public comment on the item(s); environmental impact reports or studies, if applicable; all written descriptions of the background/historical information associated with the item, including, information about the creation of the item(s) and the artist (if applicable) who created it; any warrant of originality; and any other information acquired by the City pertaining to the item(s);
- e. Copies of the Title Transfer Documents and any other written agreements;
- f. Records of maintenance; and
- g. Records of any deaccessioning.

If a plaque is requested in this project, please complete the following:

Plaque Exact Wording:

Size of Plaque:

Plaque Material:

3. Biography of artist(s): (To be attached.)

4. Location for Donation: (Please prioritize.)

Priority 1

Site:

Specific Location:

(Please attach a map.)

Site Geographic Justification:

Priority 2

Site:

Specific Location:

(Please attach a map.)

Site Geographic Justification:

Priority 3

Site:

Specific Location:

(Please attach a map.)

Site Geographic Justification:

for the funding required. **5. Project Budget**

Site Preparation Required: Cost:

Narrative:

Other:

Be specific: **Cost:**

Total Project Cost: \$

6. Cost Exclusion: Please list any cost or part of the project that will not be provided by the artist / donor.

1. Additional Employment Required by Artist: Please list additional party(s) hired or employed by artist to assist with work:
