



CITY OF HALLOWELL

ONE WINTHROP STREET
HALLOWELL, MAINE 04347

CITY COUNCIL

POLICY 2024-01 PUBLIC ART POLICY

The Hallowell Arts and Cultural Committee

The Hallowell Arts and Culture Committee (HA&CC) will act as the standing City committee designated to review, advocate and develop public art projects in the public domain for the City. It will develop a formal structure in which to create, develop and maintain public art. It will act as primary administrator for all City public art projects. This Public Art Policy acts as a guideline for acquisitioning public artworks. HA&CC supports public artwork throughout the City to visually reinforce the positive reputation of Hallowell as a community that places high value on arts and culture. It can enhance its historic setting, enrich the lives of its citizens, attract tourism, and provide incentives to businesses to locate here, thereby expanding the city's economic base.

Purpose of Public Art

Hallowell's public art policy supports high artistic standards with an understanding that public art seeks to:

1. Further the community's sense of spirit and pride.
2. Contribute to cultural tourism.
3. Promote distinctive and diverse artwork that will create a sense of place and contribute to the visual character and texture of the historical setting.
4. Integrate public art concepts, artwork, and artists into community and City planning processes.
5. Encourage early collaboration on projects among artists, architects, landscape architects, engineers and other design professionals.
6. Enrich the individual's experience of public spaces.
7. Advance citizen understanding of public artwork and its civic role.
8. Give visual expression to local values and cultural diversity.
9. Be accessible to all individuals including those with special needs.

Future Public Art Goals for Hallowell

1. Establish annual dedicated public art funding through City TIF funds.
2. Develop a plan of potential locations for public art throughout the City of Hallowell.
3. Create an inventory of local public artworks.
4. Establish policies for collection management, maintenance, and conservation.
5. Partner with local schools and nonprofits to incorporate public art learning into programs.

Definitions

“City” is the City of Hallowell.

“Artist” is a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and recognized ability who produces Art.

“HA&CC” is the Hallowell Arts and Culture Committee.

“PASP” is the public art selection panel.

“Artwork” For the purpose of the City’s public art policy, artwork is defined broadly in order to expand beyond the traditional understanding of the term to encourage as much variety as possible throughout the City. Artwork could be functional, stand-alone, or integrated into the architecture of buildings in the form of gates, entryways, sitting areas, and walkways. Such Artwork should be of exceptional quality and enduring value. Most public artwork will fit into but are not limited to one of the following categories:

Paintings, Mosaics, Carvings, Murals, Engravings, Collages, Sculptures, Fountains of unique and/or original design, Land or Earth Art; Mobiles, Bas reliefs, Film/video/media arts, Photography, Printmaking

Artworks may be portable, temporary or permanent.

Ineligible

The following will NOT be considered as public Artwork:

1. Decorative, ornamental, or functional elements which are designed by architects to enhance a building’s features as opposed to an Artist commissioned for this purpose.
2. Elements generally considered to be landscape gardening as opposed to Earth Art.
3. “Art Objects” which are mass produced of standard design, such as playground sculpture.
4. Directional or other elements, such signs, color coding, maps, etc.
5. Those items which are required to fulfill the basic purpose of a department/division such as Artworks fulfilling an interpretive or educational role in a City facility or park.

Locations

Artworks are encouraged to be installed in places that are visible and accessible to the public. This may include private commercial and residential developments as well as City-owned properties. Importantly, this policy calls for all public art projects to reflect the aesthetic, cultural and social values of the community.

HA&CC and the City Manager have oversight responsibility pertaining to the creation of Artworks on privately-owned historic downtown buildings. The HA&CC can assist private owners and developers with coordinating the creation of artworks on privately-owned and historic buildings. This assistance includes:

- Identifying potential sites.
- Advisement on administering the Request for Qualifications (RFQ) for artists.
- Coordinating ad-hoc PASP for RFQ reviews and artist recommendations.

Review Process

Public Art Selection Panels

HA&CC will establish a Public Art Selection Panel (PASP) for each project made up of no more than five (5) voting members. Those are: three members from the HA&CC, the City Manager and a member of the historic commission. The PASP primary responsibilities are:

1. Review a project summary organized by the HA&CC and City Manager, describing the Artwork proposal, physical context of the site, project timeline and budget.
2. If necessary, determine a recruitment strategy to establish a pool of artists for each project.
3. Review artist submissions or donations through specific criteria.
4. If necessary, name artist finalist(s).
5. Make final Artwork recommendations to the City Council for approval.

Public Art Review Criteria

Applications are reviewed based on the following criteria:

1. *Artistic merit* – The inherent quality and excellence of a proposed Artwork together with the strength of the artist's concept and design capabilities.
2. *Context* – Artwork must be compatible in scale, material, form, and content with their surroundings. When serving a functional purpose, artworks may define specific spaces or address specific issues of civic design. Consideration should also be given to the architectural, historical, geographical and social/cultural context of the site or community, as well as the way people may interact with the Artwork.
3. *Capacity* – An artist must exhibit a successful track record of construction and installation of artwork or show that an appropriate professional has examined the proposed artwork and confirmed feasibility of construction and installation.
4. *Budget* – An artist's proposal should provide a budget adequate to cover all costs for the design, fabrication, insurance, transportation, storage, and installation of the proposed artwork.
5. *Maintenance* – Consideration will be given to the structural and surface soundness, operational costs and inherent resistance to theft, vandalism, weathering and excessive maintenance. Any public safety issues must be addressed.

The HA&CC and PASP may recommend rejection of all submissions or donated Artwork if they are not considered satisfactory.

Request for Proposals

The HA&CC may generate a Request for Qualifications, Request for Proposals, or an Invitational to acquire Artwork. These call-for-art methods will provide project goals, desired budget, required materials for submission and terms and conditions for participation. The commissioning of artwork will follow the review process described above using a PASP. The HA&CC will be responsible for all marketing and administration involved.

HA&CC may also submit proposals for consideration.

Request to install Artwork

Requests for Artwork designs on privately-owned buildings or land in the City's historic downtown district must be submitted through the City Manager and then reviewed through the process set forth by HA&CC. Recommendations will be shared with the City Planning Board and then approved by the City Council. Building owners must work with the city manager to secure permits. They must keep the City Council and City Manager apprised during the creation and completion of the Artwork. The building owners will be the proprietors of the Artwork.

Proposals for temporary Artwork or installations should be submitted to the City Manager with sufficient lead time to allow for review by the HA&CC and acceptance by City Council at their monthly meeting prior to the proposed date of installation.

Gift proposals

A potential donor of Artwork will consult with HA&CC then submit a written proposal or letter of intent to the City Manager. The HA&CC will coordinate a PASP to review and evaluate each proposed gift based on the selection criteria and make a recommendation to the City Council for approval. All gift proposals will include:

1. A deed of gift transferring ownership of the Artwork(s) to the City.
2. A site plan that locates the Artwork if a specific location is proposed.
3. Description of actual materials used.
4. Installation details, including architectural drawings and/or construction documents.
5. Recommended maintenance plan and any public safety issues.
6. An estimate of value by a certified art appraiser or from a source acceptable to the HA&CC.
7. Funding provisions:
 - Any display or placement of artwork gifts or bequests, whether temporary or permanent, must be covered by insurance, endowment, or contractual agreement for maintenance by the donor, so the gifts or bequests will remain in a condition satisfactory to the donor and the City.
 - The insurance, endowment or contractual agreement must also cover costs of installation, storage and/or removal.

The City and the HA&CC reserve the right to refuse any public art gifts or donations.

Monetary gifts.

Donors may contribute monetary gifts for public art funding. If the donor proposes a specific project or commission, a written proposal or letter of intent will be submitted to the City Manager or HA&CC. The HA&CC will evaluate the gift and make a recommendation to the City Council for approval. All gift money will be retained in the HA&CC budget and reserved for future city public art projects or conservation and maintenance of any existing work.

Final approval.

Artwork recommendations from the public art selection panel must be reviewed by the city manager, City Planning Board and codes enforcement officer, then presented to the City Council for final approval. Contracts for artworks will be prepared by the City Manager and made between the City and the artist/s.

The project is considered complete when the City has issued a letter of final acceptance and will then become the sole owner of the artwork, accepting all responsibilities for its preservation and maintenance.

The City will keep all documents related to the artwork.

Deaccession.

The City or HA&CC reserve the right to remove any public Artwork they deem necessary due to:

- The Artwork has deteriorated or been damaged to the point that restoration is impractical, unfeasible, or would render the work false to its original intent.
- It no longer exists due to theft, accident, or natural disaster.
- It has been determined to be significantly incompatible or inferior in the community context.
- It endangers public safety.

The HA&CC will work with the City Manager to prepare a report containing information about the Artwork's condition and a safe process for removal. The report's recommendation will be provided to the City Council for approval and implementation.

The HA&CC will make a considerable effort to contact the artist (or heirs) to inform them of the deaccession and offer them (or their heirs) first option to acquire the work. If the work is sold by the City, proceeds from the sale will be retained by the HA&CC for future public art projects.

Review and Amendment

This policy is subject to periodic review and revision by the HA&CC.