



**ARTS COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 7, 2020 – 6:30PM – 8:00PM
ROOM 220, CITY HALL, 125 EAST AVENUE, NORWALK, CT
AGENDA**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC PARTICIPATION**
- IV. ADMINISTRATION**
 - a. Approve the minutes of the December 3, 2019 regular meeting.
- V. COMMITTEE UPDATES**
 - a. Infrastructure Committee Update
 - i. Mural policy update/Public Art Policy
 - ii. Mayor's Gallery update
 - b. Budget Committee Update
 - i. Finance update
 - c. Communications Committee Update
 - i. Website and social media updates
- VI. OLD BUSINESS**
 - a. Slow Art Day
- VII. NEW BUSINESS**
- VIII. ADJOURNMENT**

**Future Meetings
February 4, 2020 – 6:30pm – P&Z Conference Room**

**CITY OF NORWALK
ARTS COMMISSION
REGULAR MEETING
DECEMBER 3, 2019**

ATTENDANCE: Marc Alan, Chair; Peter Smyth, Vice Chair; Robert Abriola; Sharon Baanante; Nori Grudin

STAFF: Sabrina Church, Business & Tourism; Michelle Rakowsky, Social Media; Kadeem Roberts, Common Council; Bill Hayden, Poet Laureate

CALL TO ORDER

Chairman Alan called the meeting to order at 6:31. A quorum was present.

ADMINISTRATION

****MR. SMYTH MOVED TO APPROVE THE NOVEMBER 12, 2019 MINUTES AS AMENDED**

****MR. ABRIOLA SECONDED**

****MOTION PASSED with one abstention (K.Roberts)**

FINANCE

a. Treasurer's Report

Ms. Grudin said that she was in the process of submitting budget requests.

COMMITTEE UPDATES

a. INFRASTRUCTURE COMMITTEE

Mr. Alan began by describing what the Infrastructure Committee does, including the overseeing of City galleries, as well as day-to-day work in 3 subcommittees, i.e. the Murals or Social Media Committee.

i. Mural Policy

Mr. Alan said that they are updating the Public Art Policy for the Mural Policy. He said they had been determining the City's position on murals in comparison with other cities in the country, and other cities in the State of Connecticut. He offered Los Angeles as an example and said they took 8 years to make a mural happen. He said they want Norwalk to be a "City of the Arts."

Mr. Alan said that Mr. Smyth wrote a great draft Public Art Policy and that he sent it to the Legal Department. He said they had some areas of concern, including but not limited to a First Amendment issue when municipalities are limiting and policing content. He said the Legal Department is making sure that the Arts Commission puts together a new policy that won't result in legal challenges ahead. Mr. Alan said they were going to distribute their notes by the next meeting and that they would be revising their policy based on those notes.

Mr. Roberts asked if the notes are straightforward and understanding. Mr. Alan said there were questions and notes, but not a lot of redlining. Mr. Alan said that he sent notes and clarifications back to the attorney and they had a conversation about them. He said that he thought that they were going to have enough to amend the policy at the end of that process.

Ms. Church said that the end result is to have an approval process in place. Ms. Church said they were looking for the policy to be as clear and straightforward as possible so that the Arts Commission has the exact information they need to review, and the Common Council has the exact information they need to review in order to obtain an approval. She said that there is nothing in place right now except Zoning approval, which regulates signage size.

Mr. Roberts asked how long the approval process currently takes for murals. Mr. Alan said they had some resources here. Mr. Alan said there was a time that they were considering changing

this by way of an ordinance. He said that Mayor said that it should be part of the Public Art Policy because it would be easier to get done and it would be far less obstructionistic.

Mr. Alan said that one of his counterparts at the Carver Marketing board has a daughter who helped form the mural program in Philadelphia. He said he's asked her if her daughter will work or communicate with the Arts Commission as a sounding board.

Mr. Abriola asked if the Arts Commission got copies of the research on other cities' mural projects and public policy. Mr. Alan said that there are some cities like Boston that have chosen not to have a mural policy, and there are other cities who are more restrictive. He said there are also national guidelines to consider and talked about DARA, or the Digital Artist Rights Act, which has been proven to be very hard to enforce, but it protects artists' rights.

Mr. Alan said that, under DARA, if a property owner wants to take down a piece of public art, the artist must have 30 days notice, so that it gives them the ability to document and safely move the work. Mr. Alan said that if you are a mural artist, cities write things to respect DARA, or they ask artists to waive their First Amendment rights, which is a little tricky. Ms. Church said that creates a term sheet that informs the artists of what they are getting into. She said this option protects the City and the artists.

Mr. Alan said that murals used to be part of Zoning regulations, which restricted murals to be considered as signage. He said that, through negotiations lasting about a year, they got Zoning to change their regulations making murals distinct from signage. He said that their compromise was that you would still have to go to Zoning for a permit, and that approval for a permit is now solely contingent on the Arts Commission.

Mr. Alan said they would share the notes from the Legal Department at the next meeting and also hold an Infrastructure Committee meeting on the matter.

ii. Mayor's Gallery Update

Mr. Alan said that Ms. Helen Roman discovered a trove of old photographs of the Norwalk Fire Department and said that she has selected 8 to be shown in the upcoming Mayor's Gallery show. He said that Eric Chapman(sp?) is going to give them a photograph of today's fire department, which has won a design award. Mr. Alan said that it was all Ms. Roman's idea and he is helping out as much as he can. He said that he has a goal to get this done before the holidays.

Mr. Smyth asked about plans for framing. Ms. Grudin said she shared the information about the photograph size and frames to Mr. Alan. Mr. Abriola suggested that the photographs be matted, framed, and set behind glasswork, but they don't have to be mounted. He said that photographs should be behind glass. Ms. Church suggested getting reusable frames for the gallery. Mr. Abriola said that he could be consulted regarding frames. He also suggested the use of foam core to save money on framing. Mr. Alan said they are hanging artwork of varying sizes on 6 panels.

Ms. Church suggested reaching out to Josh Morgan of News 12 for further press.

b. BUDGET COMMITTEE UPDATE

Mr. Alan said they should make signs, legends and a press release for the show. He suggested selecting a printing vendor that they have used in the past for digital prints.

Ms. Grudin said that in the past they would be paying for the Mayor's Gallery show curator, but since Ms. Roman is not getting paid, she suggested paying \$500 in expenditures for frames and printing in connection with that show. Mr. Alan said that this is what they had anticipated.

Ms. Church said that the operating budget works by having "other professional services" as the catch-all for buying things that are not regularly purchased by the Arts Commission. She said that they transferred the money around last time. Ms. Grudin asked if the budget that Ms. Church sent her was approved. Ms. Church said yes to the movement of this year's money, but doesn't have approval for next year until April, although the Arts Commission doesn't receive the funds until July.

Mr. Alan said there are certain things that they are going to have to get approval on a case-by-case basis. He said that the instance of hanging art in the gallery has been discussed, but they have never voted on these spending matters before. Ms. Church suggested bringing in an invoice or quote for the approval process.

c. COMMUNICATIONS COMMITTEE UPDATE

i. Website and Social Media Updates

Mr. Smyth began by addressing a packets of documents he brought to the meeting. He started on the “Strategy” page and explained that the main issue they are addressing is awareness. He said they have to move the arts. He spoke next about the “Social Media Calendar” that illustrated how they plan for one type of post per week. He said that they are focusing on an “inspiration” type post now, meant to inspire in general. Mr. Smyth talked about other types of posts, including artist profiles and Norwalk public art/murals. He said the committee is currently focusing on Facebook and Instagram, and plans to work on Pinterest in the future.

Ms. Grudin asked if the Arts Commission pre-approves the social media event focus. Mr. Smyth said that they can do that for the next month. He said they are meeting again in January to review possible posts 2 months out in advance. Ms. Rakowsky said that right now she doesn’t have posts for late December because she doesn’t know which events are being highlighted by concurrent articles. Mr. Abriola asked if they could vote on social media matters via email.

Ms. Grudin gave the examples of Mr. Renee Soto, who helped with fundraising for Stepping Stones. She said that they had a tough time deciding on whether it was appropriate to share a fundraising event that had an art element. Mr. Alan said they didn’t want to be discriminatory, but they didn’t want to share one fundraising event over another.

Ms. Rakowsky said that they were planning a post for the Mad Lab Gala on December 7. Mr. Alan said that the gala was in Greenwich and questioned if the gala highlighted the arts community of Norwalk. Mr. Abriola said that they were local art openings every week. Mr. Abriola said that he will forward information on all art openings and shows of interest directly to Ms. Rakowsky.

Mr. Alan said that he asked Mr. Smyth to update the social media policy because the last update to their guidelines was about a year ago. Mr. Abriola asked if the social media posting is limited to Norwalk, or if it included events from nearby areas. Mr. Alan encouraged focusing on Norwalk. Mr. Smyth said they would also consider sharing really interesting events from Stamford, Westport, and New Canaan areas.

Ms. Grudin suggested contact the local libraries to promote their first Friday film showings, for example. Ms. Rakowsky said they shared outdoor movies over the summer. Mr. Alan said there was a free screen of an environmental film at the Wall Street Theatre the next day that they could promote.

Mr. Smyth said that sharing events on social media is a can of worms and they are going to tackle it in layers. He said that there are some barriers and that right now, they will just post everything they've got. Ms. Grudin said that they should remember how some events in the past have been promoted, but the event details didn't correspond to the website communications. She asked if the social media committee had a list of local artist galleries and studios to work from.

Mr. Smyth talked about boosting posts in January and said they can get ahead of the calendar in this way. Mr. Smyth said talked about other types of social media posts, like profiling posts. He said that these once-a-week posts would feature a Norwalk-based artist or organization, like SPAG or the Firing Circuits collective.

Mr. Smyth said they are trying to get the people of the City to see the public art collection, and are designing posts for that and for the murals. He brought up the mural by the Wall Street Theatre in the discussion and asked if it they should promote that. He said that LeeAnn Rimes took a picture there and Ms. Grudin suggested they repost the picture of the celebrity with the controversial mural to promote awareness.

Mr. Roberts left the meeting at 7:29 PM. Mr. Roberts said that the social media schedule was amazing and wished he had that around election time. He shared his personal hashtag with the group, which is “#IFUDREAMITLIVEIT” and said that if they used it, he could see what they were doing. Ms. Rakowsky asked if he would share the Arts Commission posts in his Instagram Story, and he said that he would. Mr. Roberts said that he would attend the next meeting.

Mr. Smyth elaborated on the Public Art Collection and the lists that were started about it. Ms. Grudin said she forwarded what Ms. Evelyn had put together for local performing arts venues. Mr. Alan said that was on the Google Drive. Ms. Rakowsky said she did research on some of the public art and did not find the information on it in the arts inventory. Ms. Grudin said she would help Ms. Rakowsky with this research because she would like to see who painted these pieces and where the pieces are located. Ms. Rakowsky said that she researched the Norwalk mural information, the Historical Society, and the Art Inventory.

Mr. Smyth then reviewed the new social media policy. He encouraged them to look it over at home. He said that said that every voting member should have posting access and could post anything they want once a month or so. Mr. Alan said that the guidelines will help voting members determine what an appropriate post would be.

Ms. Church brought up the idea of brand guidelines as a City regulation that could influence the social media plan. There was discussion about redesigning the NAC logo.

OLD BUSINESS

Mr. Alan introduced Mr. Bill Hayden, Poet Laureate of the City of Norwalk. Mr. Hayden gave an update on his current projects with the City. He said that he attended a meeting in May at the walk bridge. He presented his poetry at some events in the summertime. He said there was an event that was rained out, but that he still was given a half hour of time to speak. He participated in a National Trail Day event where he shared his work and discussed the connection between poetry and nature, as well as the works of Emily Dickinson and Pablo Neruda. He said that he created an ongoing library workshop that hosts a community of 7-10 local poets on the first and third Mondays of every month.

Mr. Hayden hoped that he would set up readings with major poets to be set in the new year at the library. He said he is looking into John Murillo, the Wesleyan-based African American voice.

Mr. Hayden said that he and all the town laureates were invited to an artists' retreat at the home of the Connecticut laureate. He said that he met the Poet Laureate Emeritus from Washington, who can do improv painting and poetry writing combined events. She said she has a stipend for her events. He said that Norwalk doesn't have a stipend to provide, but suggested that the poets sell their chapbooks there.

Mr. Hayden said he is inviting the Westport Poet Laureate to feature her at a library workshop. He said she is currently attending Oxford, and she is known for her talk on haiku. Mr. Hayden also held some ekphrastic poetry workshops at galleries to write about the works of art on display there. Mr. Alan described it as response poetry. Mr. Hayden described it as descriptive and offered Homer as an example of an ekphrastic poet.

Mr. Hayden said that the mission of the Poet Laureate of Norwalk is to promote the awareness of poetry in Norwalk. He said that he could promote awareness on the placards of the Wheels bus transportation, on the traffic graphic box in front of the library, as well as in future murals.

Ms. Church said that the People's Gallery is an option to pair poetry and visuals for a public art reading. Mr. Smyth said he participated in a show of 15 writers and 15 artists that asked the artists to respond to the poetry and suggested that Mr. Hayden curate an event like that. Mr. Hayden said that he encourages multimedia and the collaboration of multiple branches of art.

Mr. Abriola asked if each town has a poet laureate. Mr. Hayden said that he applied by answering a call posted by the Mayor's office.

Ms. Grudin said that she was in the process of submitting budget requests for \$1,500. She said that Mr. Hayden should be submitting invoices and documentation for his expenses as poet laureate. Mr. Hayden said that he is sending invoices directly to Mr. Alan. Mr. Alan said he wasn't sure if the Arts Commission was splitting these expenses with the Library.

Mr. Smyth said that the writer's workshops could be promoted on social media. Mr. Hayden said he would like to keep a cap of about 12 people at these workshops.

NEW BUSINESS

a. Bloomberg Philanthropies Asphalt Art Grant

Ms. Church says that it is a \$25,000 matching grant to install art on pavement. She said that they are applying for it as a city and they are hoping to do something in the Martin Luther King Jr. corridor with it. She said that, in combination with the other \$50,000 in funding, they hope to do something really impactful for the community along with the other city departments (i.e. Transportation, Parking, and Mobility, and Redevelopment). She said that Business & Tourism has funding for this initiative as well.

Mr. Smyth asked if the artwork would get destroyed if people were driving over it. Ms. Church said she talked to Mr. Pardo about that, because he is doing the basketball courts, and he said that there are ways to seal the road art with a thermoplastic coating for about 10 years, and after that they would just have to reseal it. She said that the cost of covering 4 sidewalks would be about \$80,000, which includes milling and paving. She said that they have options on how to pay for this in combination with the other departments. She said this also estimated at \$10,000 for 20 feet.

Ms. Church said that she worked with Mr. Pardo to get the application out by the 13th. She said that they worked out the cost of a mural within the 4 sidewalks to be \$25,000, plus the thermoplastic coating of \$25,000 on top. She said that paying for the coating is worth it because of the amount they'll save on maintenance. Ms. Church said that the \$25,000 for the coating could come from any of the city departments.

Ms. Grudin suggested installing the statue of Horace Silver, jazz musician, on MLK, Jr. Blvd at the site instead. Ms. Church said they wanted to focus on MLK, Jr., and that the Bloomberg funding is specifically for asphalt and is designed to slow traffic and create a more friendly pedestrian environment. She said the site that she and Mr. Pardo are looking at is located at the intersection of MLK, Jr. Blvd and Lowe Street.

Ms. Church said that this project would be an Arts Commission approval of this whole initiative, and the Department of Public Works would have to approve the milling & paving.

b. Emerson Straniti to extend voting membership

Mr. Alan said that Mr. Emerson Straniti's ROTC proxy has been extended.

c. Kadeem Roberts interest in becoming Democratic voting member

Mr. Alan asked Mr. Kadeem Roberts, Common Council, to introduce himself to the Commission at the start of the meeting.

Mr. Roberts thanked Mr. Alan for his introduction. He said that his mother is a preschool teacher, his sister is an attorney, and his brother is Jamil Roberts, music producer and Grammy nominee. Mr. Roberts said he was born and raised in Norwalk and he had a strong background with youth and a Masters in Public Administration from Fairfield University.

d. Other New Business

Mr. Alan said that he was approached by Diane Barchel(sp?), who is working with a group that is promoting a lyric-writing contest for high school students in Norwalk, Westport, Fairfield, and

Bridgeport. He said that this program is designed to promote the U.S. Census in underserved communities and minority communities where people are afraid of the census when it comes to immigration issues. Mr. Alan said Diane is part of another group that is called Norwalk To Bridgeport and that she sent him an outline of the contest and she is going to pitch it to the City and would like the Arts Commission to be a part of it.

ADJOURNMENT

****MR. SMYTH MOVED TO ADJOURN THE MEETING**

****MS. GRUDIN SECONDED**

****MOTION PASSES AT 8:15 PM.**

Respectfully submitted,

E.A.Sheils

Telesco Secretarial Service



CITY OF NORWALK, CT PUBLIC ART POLICY

Updated March 2020

**Standards and Conditions for Donations, Loans,
Commissions and Deaccessioning of Public Art
for the Collection of the City of Norwalk;
Standards and Conditions of Permits for Art
Installation in the Public Right of Way on Public
and Private Property**

CITY OF NORWALK, CT

Standards and Conditions for Donations, Loans, Commissions and Deaccessioning of Public Art for the Collection of the City of Norwalk; Standards and Conditions of Permits for Art Installation in the Public Right of Way on Public and Private Property

TABLE OF CONTENTS

- I. Introduction – Pages 2 - 4**
 - A. Background and Statement of Needs, including process and timeline
 - B. Goals
 - C. Definitions
- II. Management and Oversight – Pages 5 - 6**
 - A. Staffing and Committees
 - B. Review Criteria for management of Public Art for the City of Norwalk
- III. Guidelines – Pages 7 - 14**
 - A. Public Art Opportunities
 - B. Donations of Artwork
 - C. Public Art Loans
 - D. De-accessioning and/or Relocations of Public Art
 - E. Public Art in the Public Right of Way; Zoning Permits
 - F. Community Arts Projects
 - G. Ownership of Purchased, Commissioned or Donated Artwork
 - H. Exemptions and Exceptions
- IV. Seasonal and Thematic Displays – Pages 14**
- V. Maintenance Plan – Page 15**

I. INTRODUCTION

A. Background and Statement of Needs

Since the City of Norwalk Public Art Policy was written and adopted in 2015, the Norwalk Arts Community has grown significantly, leading to new opportunities, as well as challenges. Responding to these issues, the Norwalk Arts Commission now sets out to update the Public Art Policy in 2019/2020 (this document).

Included in this amended document is a new definition of painted murals and other "wall art" in the public right of way, as well as an outline of the process by which artists and project curators can apply for a Mural/Public Art Permit from the Department of Zoning.

The mural policy, in itself, was created after extensive research into how other municipalities in the State of Connecticut handle murals and other types of Public Art in their respective cities.

This policy was also created to meet goals that were identified by the Norwalk Arts Commission as important including:

1. *Encouraging high quality art in the Public Right of Way*
2. *To achieve a balance between the rights of the Public and the rights of Property Owners, Artists and Project Curators.*
3. *Creating a comprehensive, streamlined approval process that will encourage positive engagement with the Arts Commission by the Norwalk artist community.*

Over a period of many years, the City of Norwalk has acquired loans, donations and commissions of artworks large and small that constitutes the City of Norwalk Public Art Collection. Public buildings, public parks, beach-fronts, sidewalks and plazas display the wide range of creations, supported by public and private groups, businesses and individuals in the community. This public art contributes to the image and spirit of Norwalk and helps demonstrate its diversity.

However, this gradual accumulation of disparate works of art, ranging from monumental sculptures to framed watercolors, came about without a central aesthetic or common set of policies or procedures, leading at times to issues of maintenance and care, questions concerning quality and an absence of documentation and promotion that could elevate the City's presence and reputation even further regionally and nationally.

One of the tasks of the Norwalk Arts Commission since the 2018 revision to this document, has been to create a comprehensive inventory of the more than 100 works owned by, or loaned to the City. This work, when completed, provided a valuable resource that could be utilized by all agencies to advance their goals and programs, including economic development, redevelopment and tourism plans.

The Norwalk Arts Commission has now tasked itself to updating this inventory, with greater Public access to information concerning the collection. The goals of this are to increase community pride, and

promote public interest in learning about the works, as well as the artists which created them. A broad goal of the project is to highlight Norwalk as Connecticut's "City of the Arts," by increasing public awareness of the Public Art Collection, Norwalk's rich Art/Arts history, and in its extensive community of Artists.

A short list of the tasks outlined in this Policy to support these goals:

- Revised Public Art Policy (this document)
- Updated inventory of existing public art holdings
- Research and recommendations for utilizing digital and on-line database platforms to present this information in a way to be easily accessible to the Public

The policies and procedures for Public Art activities outlined in this document assume certain factors:

1. The final version of the Policy and Guidelines is to be adopted by Common Council.
2. Adequate staffing and administrative support provided by the City of Norwalk to the Norwalk Arts Commission, to coordinate and manage the Public Art Collection, as well as to support the outlined Projects and Initiatives. As of January 2020, this staffing and administrative support is being provided through the City of Norwalk Office of Economic and Community Development, supported by the Office of Business Development and Tourism.

B. Goals

3. Maintain high artistic standards in works of art displayed in the permanent and temporary collections and spaces of Norwalk, including murals and other "wall art," art installations, including sculpture, and art of mixed media.
4. Enhance Norwalk's image locally, regionally and nationally by acquiring and presenting high quality public art works, either through purchase, gift or loan.
5. Create exciting, appealing and harmonious spaces by integrating public art into architecture, urban design and public space planning.
6. Build awareness of community history, culture and geography, especially where it relates to the history of Norwalk as a "City of the Arts."
7. Strengthen community pride and encourage Cultural Tourism city-wide.
8. Encourage creative collaborations between public and private sectors.
9. Provide uniform procedures and policies for donations, loans, commissions and de-accessions of public artwork in Norwalk
10. Outline the responsibility of the Norwalk Arts Commission (and relevant agencies) for the oversight in managing and maintaining the City's public artworks.
11. Facilitate planning for the placement of works in City facilities and public spaces in accordance with Master Plans and/or other reports.
12. Assure appropriate recognition of contributing artists and owners of artworks donated or loaned to the City of Norwalk.
13. Create safe and accessible public art areas.
14. Care for the collection with an ongoing review and tracking system for maintenance needs.
15. Create a fund for the maintenance of the public art collection for future generations.

C. Definitions**1. Public Art**

- a. Encompasses the broadest definitions of visual art, including the imaginative use and interplay of all artistic disciplines: shall include art work which is to be an integrated part of a public right of way or facility or building, including but not limited to, fresco, mosaic, mural, or other "wall art," sculpture and other architectural embellishment or functional art created by an artist, artisan, or craftsperson.
 - b. Shall include any work of original visual art that evokes meaning and enriches the City. (which is not to be an integrated part of a public right of way, facility or building), including but not limited to, a drawing, painting, sculpture, mosaic, photograph, work of calligraphy or work of graphic art or mixed media but is otherwise publicly accessible .
 - c. May include temporary visual art, music, dance, and other performance art, installations, events and other temporary works.
 - d. Should consider the site, its context and its audience.
 - e. May possess functional as well as aesthetic qualities.
 - f. Work of art does not mean landscape architecture or landscape gardening.
- 2. Donations:** A donation, for these purposes, may be any work of art given to the City for public use or display, whether by the artist or subsequent owner, any real property transferred to the City for placement of artwork, or funds given to the City for the acquisition of artwork and/or its maintenance.
- 3. Loans:** A loaned artwork is a work of art entrusted to the City for a period of time, to be returned to its owner at the end of the use period.
- 4. Eligible Public Art Projects**
- a. Commissions of permanent works designed for specific public sites in Norwalk.
 - b. Loans or donations of works of art.
 - c. Installations and other projects or planning activities that result in the creation of temporary or permanent public art.
- 5. The Norwalk Arts Commission (NAC):** The Norwalk Arts Commission serves as steward of the City's public art collection. For each new public art project, NAC assists in the development of project parameters, including artist selection process and selection criteria; and provides recommendations for prospective selection panelist members.
- 6. The City:** The City of Norwalk, Connecticut

II. MANAGEMENT AND OVERSIGHT

A. Staffing and Committees

The Norwalk Arts Commission is directly responsible for directing and coordinating new Public Art, and Arts cultural/historical programs in partnership with the Mayor's Office and other city agencies. Administrative staff is assigned through the Department of Economic and Community Development, supported by the Department of Business Development and Tourism.

The Norwalk Arts Commission also has set committees and groups to accomplish specific tasks and action items identified by the public, City officials, or the commission. They are as follows:

- *Infrastructure Committee:* Matters of Public Art Policy related to Applications and Approvals may be assigned by the Norwalk Arts Commission to its internal Infrastructure Committee, for research, processing, and implementation. The Infrastructure Committee, which is comprised of Voting Arts Commissioners, and other Friends of the Arts Commission (see below Part E), shall present its work to the Voting Membership for Final Approval before being sent to the Common Council.
- *Collaboration Committee:* Matters of Public Art Policy that pertain to work across other City Agencies and Commissions may entail work by the Collaboration Committee, which is comprised of Voting Arts Commissioners, and other Friends of the Arts Commission, which shall present any work to the Voting Membership for Final Approval.
- *Communications Committee:* Matters of Public Art Policy that require interface with the Public, or Arts Community, through the Press, and or Social Media, including, but not limited to, Press Releases, RFP, etc. All works by the Communications Committee, which is comprised of Voting Arts Commissioners and other Friends of the Arts Commission shall be presented to the Commission Voting Membership for Final Approval.
- *Friends of the Arts Commission:* This group of ex-officio members, community partners, arts professionals, professionals of related industries including, not limited to art gallery curators, architecture, etc., and working artists in the City of Norwalk, that may attend public meetings, work on Arts Commission subcommittees as outlined above.
- *Budget Committee:* This committee consists of the Treasurer of the Norwalk Arts Commission, Chairman of the Arts Commission, and Co-Chair. This committee works on the overall budget, and makes specific recommendations to the Voting Membership, who must vote for Final Approval prior to implementation.

B. Review Criteria

The following criteria will be used by the Norwalk Arts Commission in determining the merit of any proposed addition or other change to the Public Art Collection:

1. Aesthetic

- a. The artwork should represent excellence in enhancing the aesthetic environment of public places within the City.
- b. The artwork should be of exceptional quality and enduring value, engaging qualified and experienced artists.
- c. The commissioning process should:
 - i. Value artists and the artistic process by providing a range of creative opportunities for artists with differing levels of experience, as appropriate to the project in question;
 - ii. Ensure the ongoing integrity of artworks; and
 - iii. Respect the creative rights of artists, always involving artists directly in the concept, design and creation of artworks.

2. Financial

- a. Budgets for new commissions should adequately support artists and the creative process. Budgets for donations and loans must adequately support the maintenance and preservation of the artworks within the scope of the City's responsibilities.
- b. Resources should be used wisely to develop and sustain projects in a cost-effective manner by examining the cost of fabrication, installation, insurance and maintenance of proposed artwork.

3. Environmental

- a. Appropriateness of the artwork to the site shall be considered, including but not limited to the social, cultural, historical and physical context of the site, either existing or planned. Scale of artwork in relation to the site and impact on the ecology of the site are also issues to be considered.
- b. The artwork should contribute to the City's vitality and promote the City as a regionally, nationally and internationally recognized arts city and tourist destination.
- c. The artwork should enhance community identity and place and celebrate the City's cultural communities.
- d. Special attention must be given to any artwork to be placed in a public right-of-way. Such artwork must be located outside the pedestrian zone unless integrated into the walking space and must not interfere with vehicular sight lines if installed in an area adjacent to roadways.
- e. Consideration must also be given to any ADA requirements.

III. GUIDELINES

A. Public Art Opportunities

Based on recommendations of the Norwalk Arts Commission, and subject to ratification by another initiating agency or department where applicable, commissions may be awarded by competitive proposal process or invitation, subject to funding restrictions.

Funding for these commissions may be provided through the Norwalk Arts Commission Operating or Capital budgets, through City, State or Private Grants, or other City Agency Operating or Capital budgets. All recommendations for funding must be approved by the Arts Commission Voting Membership.

The selected artist(s) would be commissioned to create original artwork consistent with the artist(s) proposal. Prior to selection processes outlined below, appropriate notice shall be given to artists who may wish to participate by use of one or more of the following methods:

- a. Specific projects will be announced on the City's web site.
- b. Announcements shall be distributed to arts organizations, art schools, art centers or museum and arts service organizations.
- c. The opportunity will also be announced through use of appropriate media such as online newsletters, blogs, listings, and social media platforms.
- d. Press releases as appropriate.
- e. Email alerts to arts organizations and artists who request inclusion in an email list

Commissions may be awarded as follows:

- a. *Request for Proposals (RFP)*: an RFP requests an artist's or team's qualifications, examples of past works, a description of their working process and preliminary ideas and design concepts.
- b. *Open Competition*: an artist or artists may be chosen through a competition whereby all artists are welcome to submit proposals that meet the requirements established Norwalk Arts Commission, supported by the Office of Economic and Community Development and administrative staffing by Office of Business Development and Tourism, in consultation any other initiating agency or department where applicable.
- c. *Closed Competition*: an artist or artists may be chosen through a limited entry competition, for which artists are invited to submit proposals according to criteria established by the Norwalk Arts Commission, supported by the Office of Economic and Community Development and administrative staffing by Office of Business Development and Tourism, to review submissions. (E.G. An example of a closed competition may be one that seeks to engage local working artists, such as the Traffic Graphic program)

Final proposals for commissioned work shall include:

- a. Artist's résumé
- b. Digital images of previous work

- c. Description of proposed/concept in response to the published call for proposals
- d. Drawings, photographs or digital simulations that demonstrate the relationship and scale of the artwork to the site
- e. Material samples for the artwork and any relevant construction materials (if applicable)
- f. Installation details and requirements
- g. Timeline for project
- h. Detailed budget including artist fees, installation cost estimates, including identifying markers or plaques consistent with current signage on existing City public artworks, documentation during creation, and proof of public liability insurance.
- i. Description of fabrication materials, maintenance requirements and estimate of annual maintenance costs

Artist selection criteria for commissioning new public art should include the following considerations:

- a. Are the artist's submissions, previous work and/or proposed idea of high aesthetic quality in concept and execution?
- b. Does the artist have a significant or engaging body of work?
- c. If applicable, does the artist have experience collaborating with architects and other professionals? Does the artist have experience with architectural and engineering drawings and methods?
- d. Does the artist have experience in comparable projects with regard to scope, budget size, artistic discipline etc.?
- e. Is the artist familiar with, or interested in researching, the community or setting and its characteristics, including history, identity, geography and cultures?
- f. Do the artist's previous projects or proposed ideas have the potential to attract visitors and residents?
- g. If applicable, does the artist have experience working with communities and with diverse groups?
- h. Does the artist have experience in projects that bring people together or help create gathering places?
- i. Is the proposed project or process an opportunity to nurture an emerging artist?
- j. Is the artist's previous work or proposed project sustainable, secure and technically feasible?
- k. If applicable, has the artist's previous work been completed on time and within budget, and is the artist able to work within the City's timeline and budget?

B. Donations of Artwork

The City may seek to foster a donation program that engages donors (both artists and owners of artworks) and clearly communicates the City's public art goals, policies and procedures in order to obtain high quality public artwork for the City.

Donations will be reviewed and confirmed by Vote of the Norwalk Arts Commission, supported by the Office of Economic and Community Development and administrative staffing by Office of Business Development and Tourism. Display of the Art may be subject to further approval by other City Agencies,

Departments and Commissions, including, but not limited to the Department of Parks and Recreation, the Mayor's Office, and the Common Council. In such circumstances, The Norwalk Arts Commission will make recommendations as to acceptance of proposed donations and any appropriate stipulations to be made applicable to such.

Donation Acceptance Criteria

The City shall accept donated artworks only when:

1. The work has artistic merit
2. The work augments, rather than disrupts, the overall City collection
3. Such gifts are offered without restrictions as to future use or disposal;
4. The placement of the artwork is not stipulated as a condition of the gift;
5. There is no obligation on the part of the City to display the artwork;
6. The City may deaccession the artwork if it is deemed necessary for public good.

Donations or Loans of artwork shall be accompanied by:

1. A detailed description, including digital images, of the artwork;
2. A résumé detailing the qualifications and other pertinent information regarding the artist, and appropriate publicity materials;
3. The cost of moving, storing or installing the artwork;
4. A legal instrument conveying title to the artwork, such as a Charitable Gift Agreement, executed by the donor and the City enumerating any conditions of acceptance of the gift that the City has agreed to;
5. A statement of value or current appraisal by the donor or a professionally accredited appraiser;
6. A warranty of originality of the artwork (i.e., the work must be an original or limited edition) and documentation of its provenance (where possible).

Maintenance

The donor shall provide the Recreation and Parks Department, and other departments as needed, with detailed maintenance instructions for the artwork.

Insurance

The donor is responsible for all insurance costs until title to an artwork is transferred to the City. Prior thereto, the City must be named on all insurance documents as an additional insured party, and proof of insurance must be included in the final accepted proposal packet.

Acknowledgement

The donor must agree to the placement of a plaque or sign on or near the artwork, crediting the artist, acknowledging the donor and recognizing the gift to the City. Such signage must conform to City standards for public art signage.

Gifts to the City

Gifts presented to the City by outside governments (municipal, state, or national) or by individuals or business entities, may be accepted by the City of Norwalk by the following process:

1. The gift is reviewed by the Norwalk Arts Commission on look, feel, form, and function.
2. The Arts Commission forwards their recommendation and comments to the appropriate Committee of the Common Council.
3. Location and placement of the art is subject to approval by the appropriate Committee(s) of the Common Council or other entities which could include but are not limited to the Parks and Recreation Committee, Planning Committee, and/or the Board of Education.
4. The Common Council considers the acceptance of the gift with a recommendation from the NAC and the appropriate previous committees.
5. Should the Common Council approve the acceptance of the gift, the agreement will be finalized through the City of Norwalk Law Department.

C. Public Art Loans

Loans of artwork shall be governed by a loan agreement. A loan agreement may be entered into with art museums and arts organizations, galleries, other institutions, private individuals or individual artists, for the placement of art in public places for periods of one month to a year.

The loan agreement will state the length of the loan and other terms such as location, maintenance requirements, and vandalism responsibilities. The agreement will also stipulate: value of artwork; insurance requirements; shipping and installation; and removal responsibility.

The Review Criteria as outlined in B-3 should be considered, provided that any artwork(s) to be displayed on City property for ninety days or less may be exempt from the Review Criteria considerations at the discretion of the Norwalk Arts Commission. For example, short-term displays in the Mayor's Gallery at City Hall.

D. Deaccessioning and/or Relocation of Public Art

The City may deaccession (i.e. remove an artwork) from the City's collection (by selling, returning, donating or destroying it) with the agreement of the Norwalk Arts Commission, and any related City Agency, Commission or Department, only when it finds such action to be in the public interest, or as a means of improving the quality of the collection, or for the purposes of public safety and in compliance with applicable laws and regulations governing the same.

Works of public art may be relocated or removed if a piece becomes a hazard or liability or if the adopted terms of acceptance are not fulfilled.

Deaccessioning should be cautiously applied, only after careful and impartial evaluation by the Norwalk Arts Commission, Office of Economic and Community Development and administrative staffing by Office of Business Development and Tourism, Friends of the Norwalk Arts Commission, art professionals, the public, and the artist(s) and where/ whenever required by the appropriate state or federal agency. The Norwalk Arts Commission, assisted by its administrative staff, shall make all reasonable efforts to locate the donor, artist or his/her heirs.

Deaccessioning of any artwork must take into account adherence to the Visual Arts Rights Act of 1990, which states that “significant or substantial distortion, mutilation, or other alteration to a pictorial, graphic or sculptural work, which is publicly displayed, caused by an intentional act or by gross negligence, is a violation of the exclusive rights of the copyright owner where the author of the work is the copyright owner”.

Deaccessioning or relocation of artwork may be considered for one or more of the following reasons:

- a. The condition or security of the artwork cannot be reasonably guaranteed in its present location.
- b. The artwork cannot be properly cared for or stored by the City.
- c. The artwork presents a public safety risk.
- d. The artwork is damaged and repair is not feasible.
- e. Significant changes in the use, character or design of the site require a revaluation of the artwork’s relationship to the site.
- f. The site has become unsafe, no longer accessible to the public or is due to be demolished.
- g. The artwork requires excessive maintenance or has failures of design or workmanship.
- h. The original artistic integrity of the artwork is no longer intact or can no longer be maintained.
- i. The cost of repair or conservation is more than fifty percent (50%) of the original commission costs or current appraise value.

A decision to de-accession, relocate or dispose of an artwork must be explaining in writing and made public. Preferred methods of de-accession are:

- a. Relocation of the artwork to another site within the City departments or agencies
- b. Removal of the artwork from public display and subsequent storage
- c. Donate the artwork to another government entity or non-profit, civic, charitable or cultural organization that will properly install and display the artwork in a public space.

If the work is sold, the City shall use any monies realized in one or more of the following ways: to purchase, commission or cause to be created other work(s) for the collection; add the proceeds to the City’s Public Art Maintenance Fund (if such Fund is established upon adoption of these guidelines); produce supplementary materials to promote and support the public art collection, such as brochures,

digital products etc.; and/ or in support of additional activities associated with the public art collection, such as docent training, administrative internships or other art educational programs.

Every effort shall be made to honor the wishes of the donor or heirs of the donor concerning the de-accession of the artwork, provided although express agreement to the de-accession shall be solicited from the donor or heirs of the donor, such agreement shall not be required. The City may dispose of de-accessioned works by such means as may be warranted by each circumstance.

If the City elects to sell the artwork in question then:

1. The artist/donor will be given the right of first refusal to reacquire the work at fair market value, original price, or at no cost, depending on the recommendation of the Office of Economic and Community Development with a recommendation from the commission. The cost of removal shall be borne by the artist/donor.
2. The City may sell the artwork through a dealer.
3. The City may sell the work through competitive bidding.
4. The City may sell the work through a Public Sale.

If a marginally significant work has deteriorated to such an extent that it is irreparable and unsuitable for exhibition, the City may elect to destroy it upon deaccession, which should be accomplished in accordance with all applicable state and federal laws and regulations.

E. Public Art in the Public Right-of-Way on Public Property

No individual or private group may own permanently installed artworks in the Public Right-of-Way that is attached or otherwise installed on a Public building, structure, or facility.

The Norwalk Arts Commission will serve as the first point of contact and act as coordinating agent for applicants wishing to place temporary or permanent artworks in the public Right-of-Way that is to be attached, affixed, or otherwise installed on a Public building, structure, or facility. The Arts Commission shall vote to recommend the project for consideration by the Common Council.

An application to the Common Council shall be completed for all potential art projects to be located in the public Right-of-Way, attached, affixed, or otherwise installed on a Public building, structure, or facility.

Specific submission requirements may include without limitation:

- a. A description, digital image, photograph, model or drawing of proposed artwork.
- b. Statement indicating the duration of the artwork's installation in the Right-of- Way.
- c. Evidence of liability insurance
- d. Detailed maintenance requirements and written maintenance agreement.
- e. Access and safety considerations

Public Art located in the public Right-of-Way must be outside the traffic sight lines and pedestrian zone unless integrated into the walking surface, and should conform to all terms and conditions and requirements of the City, including the Department of Public Works and any applicable State or Federal traffic safety standards and requirements.

These guidelines for Public Art in the Public Right-of-Way on Public Property shall be in effect regardless of the source of funding for the project.

F. Community Arts Projects - Public Art in the Public Right-of-Way on Private Property

The City of Norwalk is experiencing increasing interest in the creation of murals, and other types of "wall art," including but not limited to painted designs, fresco, mosaic tile installations, affixed and otherwise installed on Private Property. The requirements before installation are as follows:

1. Permits for such installations are issued by the Norwalk Department of Zoning.
2. Approval of these Public Art/Mural/"Wall Art" Permits are contingent on approval by the Norwalk Arts Commission, either through the recommendation of a future Public Art/ Murals Committee, or through its current Infrastructure Committee, assisted by its administrative staffing from the Office of Business Development and Tourism.
3. Painted or other designs that are deemed by the Arts Commission or subcommittee to be intended commercial signage shall be subject to further guideline approval of the Department of Zoning.
4. Approval by the Norwalk Arts Commission may be based on factors such as public safety, decency laws, location, and impact on the surrounding community, but shall not be based on content or messaging, with respect to the Freedom of Speech, as guaranteed by the First Amendment of the United States Constitution.
5. The Installation of the Mural and/or other "Wall Art" may require additional permits from the City of Norwalk Building and Code Enforcement Department if there is a use of scaffolding, or other such physical apparatus. Approval may also be required by the Department of Public Works if the installation would impede sidewalk traffic or other physical right-of-way.
6. Maintenance and Vandalism
 - a. One or more individuals with the project or community group to be identified as being responsible for on-going maintenance as needed. Project appearance should be assessed no less than once a year.
 - b. Artwork should be protected by anti-graffiti coating and security lighting against vandalism wherever reasonably possible.
 - c. Issues of long term maintenance or public art that falls into disrepair shall be the domain Department of Buildings or other city agency to be determined.
7. Publicity/Documentation
 - a. The planning, painting and installation process should be documented throughout with photographs (and video if possible) and with a follow up survey as appropriate.
 - b. A press release with photographs should be made available to media outlets.

G. Ownership of Purchased, Commissioned or Donated Artwork

Artwork purchased, commissioned or accepted as a donation will become the property of the City of Norwalk. Title for each work shall be transferred to the City. Upon acquisition of an artwork, the relationship between the City and the artist or donor will be defined by a legal instrument of conveyance addressing the terms of the acquisition, any instructions for proper care and maintenance of the work, and any special agreements regarding the manner in which the work may be deaccessioned, copyright, reproduction and resale issues.

H. Exemptions and Exceptions

Certain projects and commissions will be considered exempt from review and approval processes as outlined in this policy document, at the discretion of the Norwalk Arts Commission, and the City of Norwalk.

Examples:

- Ongoing educational programs at or on publicly owned sites and buildings which involve public school students under the guidance of a nonprofit arts, cultural or historical organization. Details of such programming should be supplied to the Norwalk Arts Commission in advance as logistical, promotional and/or documentary support may be available.
- Commissions, loans, gifts confirmed and contracted but not implemented or received before the implementation date of this policy

Exceptions:

- This policy is not intended to apply to the Norwalk School system or assets under the jurisdiction of the Norwalk Historical Commission.

IV. SEASONAL AND THEMATIC DISPLAYS

Occasionally, The City may present temporary or seasonal displays of artworks centered on one type of object or centered on a theme. No general policy or procedures can be announced concerning such programs because the City, the visual arts, public interests and tastes are constantly evolving.

Such matters as traffic patterns, construction activity and redevelopment of neighborhoods, artistic techniques and materials, artistic visions and ideas of current interest can all affect a seasonal or thematic exhibit and all these factors must be considered simultaneously.

When and if such a temporary or seasonal display is planned, the Norwalk Arts Commission, through its Communications Committee, will announce the particulars of the project and how artists and others might participate.

V. MAINTENANCE PLAN

Artworks in the City's collection are located in a variety of environments. Some are installed outdoors; others are placed in semi-enclosed settings and others in indoor public spaces. Artwork can be affected by exposure to light (natural and artificial), wind, air-borne dust, temperature and humidity changes, vibration, precipitation and other conditions. On occasion an artwork may also suffer physical damage as a result of accident or vandalism. Without long-term maintenance, the artworks risk serious degradation as the collection ages.

In an attempt to mitigate these issues the following steps will be taken:

1. An inventory of all public art works shall be maintained and updated annually by the Norwalk Arts Commission
2. An evaluation of the condition of each artwork will be separately noted in the inventory report.
3. A professional conservator may be hired to assess certain works of art and make recommendations on cost and future care.
4. Partnerships in the private and public sectors may be sought to fund restoration costs.
5. The archive of the collection will be made accessible to the public.