

**MINUTES OF THE VISUAL ARTS COMMISSION  
MEETING  
CARNEGIE TOWN HALL  
November 7, 2006**

**MEMBERS PRESENT:** Jerry Hauck, Rod Pierce, Lyle Pudwill, Kris Carmody Reaves

**MEMBERS ABSENT:** Stacey McMahan, Heather Dent

**OTHERS PRESENT:** Russ Sorenson, Planning Office Staff Liaison.

Jerry Hauck, Chairperson, called the meeting to order at 9:05 a.m.

**ITEM 1. WELCOME NEW COMMISSIONERS  
Heather Dant  
Kris Carmody Reaves**

On behalf of the Visual Arts Commissioners, Chairman, Jerry Hauck, welcomed Kris Carmody Reaves to the Commission.

**ITEM2. APPROVAL of the August 1, 2006 Meeting Minutes.**

Chairperson Jerry Hauck requested a motion to approve the August 1, 2006 meeting minutes.

Commissioner Lyle Pudwill made a motion to approve the August 1, 2006 Meeting minutes, as presented. Commissioner Rod Pierce seconded the motion. The motion passed unanimously.

**ITEM 3. DISCUSSION and ACTION on VAC Review Process for Public Art**

Chairperson Jerry Hauck directed the Commission's attention to the Draft proposal document that outlines the proposed project review process for public art.

Russ Sorenson, VAC Staff Liaison, commented the initial DRAFT proposal, as indicated below, differentiates a two track review process for public art, regardless of temporary or permanent placement - 1) when city funding is proposed; or 2) when city funding is not proposed.

**DRAFT PROPOSAL**  
**SIOUX FALLS VISUAL ARTS COMMISSION**  
**REVIEW PROCESS FOR PUBLIC ART**

**WHEN CITY FUNDING PROPOSED for PUBLIC ART**  
**(Temporary or Permanent Placement)**

Any City “Call for Public Art” Proposals (ie: Archway Panels)

Private/Public/Business Organizations Submit Public Art Proposals (ie: SculptureWalk- People’s Choice Award)

Individual Artists Submit Public Art Proposals (ie: Porter Williams – Diversity Wall)

**Review Process**

- Presentation to the Visual Arts Commission
- Jury Panel Review Required (VAC or by Others)
- VAC Review & Recommendation(s)
- Mayor & City Council Review
- Resolution Adopted

**WHEN CITY FUNDING NOT PROPOSED for PUBLIC ART**  
**(Temporary or Permanent Placement)**

Any City “Call for Public Art” Proposals

Private/Public/ Business Organizations Submit Public Art Proposals (ie: Termesphere)

Individual Artists Submit Public Art Proposals (ie: Darwin Wolf – Pettigrew)

**Review Process**

- Presentation to the Visual Arts Commission
- Jury Panel Review ~~at VAC’s discretion~~ Required ( VAC or by Others)
- VAC Review & Recommendation(s)
- Mayor & City Council Review
- Resolution Adopted

Russ Sorenson, indicated that upon further review, the two tables are identical and could be amended and condensed into one, to read:

**PROPOSED VISUAL ARTS COMMISSION REVIEW PROCESS for PUBLIC ART PROPOSALS WITH OR WITHOUT CITY FUNDING**

**The Sioux Falls Visual Arts Commission shall follow the review process outlined below:**

- A public art proposal from a city “call for public art” or from any private individual(s), business, education, service, civic, or non- profit organization(s) be submitted to the Visual Arts Commission for their consideration.
- A presentation by the individual(s), business, education, service, civic, or non- profit organization(s) about the public art proposal be made to the Visual Arts Commission at a regular meeting.
- A jury panel review is required, either by the Visual Arts Commission, or their established jury panel, or from another jury panel that is acceptable to the Visual Arts Commission.
- Visual Art Commission reviews the public art proposal, any jury panel comments received, and makes its recommendation(s) to the Mayor and City Council.
- Mayor and City Council considers the public art proposal at a regular meeting.
- Adoption of a Resolution by City Council accepts the public art proposal.

Russ Sorenson stated that he recently received comments from interested citizen, Darwin Wolf, about the DRAFT review process for public art. Mr. Sorenson summarized Mr. Wolf's comments to the Commissioners. Mr. Sorenson indicated that Mr. Wolf expressed that he felt it would be a good idea to keep the two track project review process procedures separate. Mr. Wolf believes the two track project review process is good for the artists as it is concise and clear, regarding project funding involving public moneys vs. without public moneys. Mr. Wolf expressed that he feels that the proposed two track project review process keeps the funding matters separate and the proposed DRAFT review process guidelines would be helpful for future Commissioners when they join the VAC to ensure consistency in the review process.

One Commissioner mentioned that the DRAFT review process needs to be a consistent and fair process regardless if there is a city call for art, or if the proposal is from an individual artist or from a community business or service organization.

Another Commissioner observed and commented that since the two tables presented for the review process are identical, he felt the procedures could be combined. He noted the DRAFT review process entails a presentation to the VAC; Jury Panel Review is required by the VAC, or by their established jury panel, or from another jury panel that is acceptable to the VAC; the VAC reviews and makes its recommendation to the Mayor and City Council; and a resolution is to be adopted for the project.

Another Commissioner expressed that the VAC review the project from an artistic standpoint and that a determination be made if the artwork is appropriate, acceptable, and benefits the city.

Another Commissioner commented that project funding should be adequately addressed by the artist(s) in their presentation to the VAC, Mayor and Council. It was emphasized that elected officials – not the VAC - decide if the public art project receives public monies.

Mr. Sorenson also informed the Commissioners the initial DRAFT review process proposal (two tracks) and the condensed version, and their previous question about ensuring the "intellectual ideas/rights of an artist's proposal" were presented to the City Attorney's Office for their consideration and comments. Mr. Sorenson reminded the Commissioners that he had copied them, via email and US Mail, with the inquiry to the City Attorney's Office. Mr. Sorenson informed the Commissioners about the City Attorney response relative to intellectual property rights of the artists.

The Commissioners expressed their appreciation in receiving this response from the City Attorney's Office and agreed it is important to recognize and document the claim of intellectual property rights of a project proposal by an artist.

A Commissioner asked if there are guidelines available to artists that describe the information the VAC would like to see in a public art presentation to them. Russ Sorenson, VAC Staff Liaison, responded that if a call for art is conducted (ie: Phillips to the Falls Archway Gate Panels) it is made very clear in the request for proposal document what information is necessary for the application submittal. Also, if artworks are to be donated to the city (ie: Pettigrew), there already is a "Public Art Donation" document posted on the VAC's website that highlights the required information necessary to accept the artworks.

As an informational note, Mr. Sorenson, referenced the City of Omaha's new Public Art website page, and routed the documentation to the Commissioners. Mr. Sorenson noted that Omaha's public review process and public art donation form is very similar to the VAC's DRAFT review process and existing art donation form.

Chairman Hauck commented that VAC presentation guidelines should be drafted and posted on the website. Such guidelines would greatly assist artists and the public in making any future presentations to the VAC. Chairman Hauck requested Russ Sorenson, VAC Staff Liaison, to draft specific guidelines to highlight the VAC's information needs in their consideration of future public art requests. Chairman Hauck noted that such informational needs of the VAC can then be consistently applied and communicated to the public, via the VAC's website, on future public art projects. Mr. Sorenson acknowledged the request.

There were no further public comments received.

Commissioner Rod Pierce made a motion to adopt the amended DRAFT review process for public art proposals. The amended Draft reads:

**PROPOSED VISUAL ARTS COMMISSION REVIEW PROCESS for PUBLIC ART PROPOSALS WITH OR WITHOUT CITY FUNDING**

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- Visual Art Commission reviews the public art proposal, any jury panel comments received, and makes its recommendation(s) to the Mayor and City Council.
- Mayor and City Council considers the public art proposal at a regular meeting.
- Adoption of a Resolution by City Council accepts the public art proposal.

Commissioner Lyle Pudwill seconded the motion. The motion passed unanimously.

**ITEM 4. SUBCOMMITTEE REPORT on City's 2007-2011 Capital Improvements Program (CIP) projects for consideration to incorporate artistic design elements.**

Chairperson Jerry Hauck commented the Subcommittee has met and requested this item be deferred until the next meeting when Commissioner Stacey McMahan is available to present the committee's project recommendations.

**ITEM 5. PROJECT UPDATES**

○ **Phillips to the Falls Arch Gateway Panels – Benjamin Victor.**

Russ Sorenson, Staff Liaison for the VAC, commented that he has been in recent contact with sculptor, Benjamin Victor. Mr. Victor expressed that the project is on schedule and the project is off to a good start. Mr. Victor is working on the clays now. As the project progresses, update reports, including photographs will be provided to the commissioners.

**ITEM 6. PUBLIC INPUT**

There was no public input received.

**ITEM 7. ADJOURNMENT**

With no further business, the meeting adjourned at 10:00 am.

HANDOUTS – November 7, 2006 Meeting

- November 7, 2006 Agenda
- August 1, 2006 Meeting Minutes
- Draft Proposal I - SF VAC Review Process for Public Art