



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved MADISON ARTS COMMISSION

Monday, November 8, 2010

6:00 PM

Goodman Community Center
149 Waubesa Street
Madison, WI 53704

CALL TO ORDER / ROLL CALL

Present: 7 -

Jose J. Madera; Marsha A. Rummel; Celia A. Klehr; Thomas J. Farley;
Norma M. Sober; Patricia Elson and Briony Jean Foy

Excused: 4 -

Monica Groves Batiza; John Nicholas Schweitzer; Leslee J. Nelson and
Emily S. Robida

APPROVAL OF October 18, 2010 MINUTES

A motion was made by Elson, seconded by Sober, to Approve the Minutes of October 18, 2010. The motion passed by voice vote/other.

PUBLIC COMMENT

Steve Head, 2134 Oakridge Ave, Madison: Music background. He's on the friends of Overture board. Within the timelines that work, would like to see a more community based group running Overture.

Sharon Kilfoy, 1020 Williamson, Madison: Member of Overture friends group, volunteer usher, daughter married there, part of many exhibitions there. One of my concerns with the model on the table is that Overture will be run as a private non-profit. I work for a non-profit and when I retire I will have no retirement. I would suggest that the City continue to run Overture and that the people who run it have full benefits. That the building be used all the time. There should be a coffee shop in there and a free reading area stacked with books. I don't think the goal should be worrying about wearing it out. Pack it with people. Let people use their laptops in there. It is true that it is packed on Saturdays but it should be better used on a regular basis. We need to keep it and we are lucky to have it.

Jay Young, Cross Plains: Madison employee. Concerned about losing benefits and job security. Worried there will be more costs to consumers.

Martha Glowacki, 7340 Loper Rd, Sauk City: Sculptor living in Dane County but not in Madison. Director of James Watrous Gallery at the Overture Center. The Watrous Gallery exhibits many local artists. The perception problem that local artists are not being exhibited in Overture is incorrect and that is very frustrating. The Watrous Gallery is free and open to the public.

Ms. Glowacki answered a question from Marsha Rummel about greater opportunity for collaboration with other institutions. She described two recent collaborative projects. One with the Wisconsin Arts Board, and another with a folklorist at UW Madison that collects the oral histories of steel workers working on the Chazen. The University is eager for more partnerships.

Nick Andzeano, 447 Sidney St, Madison: DJ Nick Nice, has done events at Overture

Center. He supports the recommendations in the report. There is a perception of elitism, whether that is true or not, it is out there. In Mary's Cultural Plan data, that perception is addressed. Have working artists involved in creating the plan for that facility. How do you get students involved and wanting to stay in Madison? Involve artists, you could have artists creating an indoor art fair right in the entry way. I hope we save a great facility.

Samantha Crownover, 2702 Kendall Ave, Madison: Executive Director of the Bach Dancing and Dynamite Society. We were one of the last organizations to be invited to be a resident company because we didn't meet all of the criteria. Our organization's capacity has grown and we are going to increase the number of performances at Overture this summer. The facility is too good to pass up. It stretches us as artists. I enjoy our relationship with Overture and the more I learn about all of their community service and outreach the more BDDS will benefit from tagging along with those efforts. We are afraid of what may or may not happen. This is my job too.

William Scanlon, 616 S Ingersoll St, Madison (comments provided in written form for minutes)

In opposition to endorsing the Ad Hoc Report. I'm not opposed to Overture. It must continue and thrive and improve however as the agreement reads now, it embodies taxation without representation..

My comments were directed to the November 4, 2010 agreement between the Mayor and the 201 Foundation.

This agreement is what (with possible modifications) the City Council is being asked to approve before January 1, 2011.

While I favor having the Overture Center continue and thrive, I oppose the agreement in its current form for five significant reasons:

(1) Per paragraph 13 of the agreement, it embodies "taxation without representation" for the people of Madison. Only 3 members of the 21-member 201 Foundation governing board are to be appointees of the Mayor (with approval by the Council), and none of the 21 members is required to be a Madison resident. Yet all of the financial risk for continuing operations of Overture is the City and its residents'. This is completely unacceptable. All members of the board must be Madison residents and at a minimum a majority must be mayoral appointees (with Council approval). If other governmental entities join with the City in bearing the cost and risk of Overture's operations - which would be desirable because the Center is a regional asset - then they might also have members on the 201 Board.

(2) Also per paragraph 13, the 201 governing board is not required to abide by the Open Records and Open Meeting laws. This is completely unacceptable as a matter of public policy, not to mention illegal. It is a legal fiction that 201 is a "private" entity and so not subject to these laws. 201 would be operating a major facility owned by the City and for which the City is financially responsible and bears all financial risk. 201 is in fact a public agency, as much as, for example, the Arts Commission, the Parks Department, the Plan Commission or the Police Department. The City and 201 cannot avoid the legal requirement that 201 abide by the Open Records and Open Meetings laws by the sleight of hand of calling 201 "private."

(3) Under various provisions of the agreement, almost all of Overture's present and future employees are denied rights as, or the right to be, City employees. This is grossly unfair, in some cases at least illegal, and otherwise unacceptable.

(4) Overture is an important asset not just for Madison but also for the south central Wisconsin region surrounding Madison. The agreement should include a requirement that 201 work to secure financial support and risk sharing from governmental entities in the region, including at least Dane County and the counties contiguous with Dane County.

(5) The rush to conclude the agreement before January 1, 2010 is unacceptable. Marc Eisen's editorial in *The Isthmus* of November 5, 2010 points out why this is so and other options that should be considered before the agreement is concluded. For a number of practical reasons involving the debt-holder banks' own interests, it is highly unlikely that the

banks would foreclose on Overture if the agreement would not be concluded before January 1, 2010. Perhaps this problem of unacceptably rushing the agreement could be side-stepped by modifying paragraph 1 of the agreement to provide an initial term of no more than 3 years, during which different governance and operating structures could be explored.

Sheri Castelnovo, 1609 Jenifer St, Madison (comments provided in written form for minutes)

Education Curator for MMoCA Sheri Castelnovo Speaking on behalf of MMoCA, a resident organization at the Overture Center. Since 1901.

MMoCA has been in existence since 1901 and has always had a community focus. For over a century, the museum has engaged citizens through a growing range of exhibitions, education programs, and special events.

Since taking occupancy of its new museum facility in 2006, MMoCA has welcomed 755,944 visitors, all free of charge. Almost all of our education programs are offered free; for those that have an admission cost, and these are limited to film programs, the fee is nominal, always under \$10.

As an independent, non-profit contemporary art museum, we have sought and maintained partnerships and community collaborations that have only increased since 2006.

Among these initiatives are the Art Cart program, a partnership with Madison School and Community Recreation that is now in its 35th year. Art Cart travels to over 100 sites in Madison and Dane County to provide a full day of free art activities during summer months. Since 2006, more than 14,000 children have taken part in these activities.

In 2006, and for each year since that time, MMoCA has raised funds to provide transportation and substitute teacher subsidies and for public schools in southern Wisconsin. Nearly 10,000 children from the region have visited MMoCA as a direct result of the reimbursements the museum provides to their schools; for nearly 70%, it's the first time they've had the opportunity to visit an art museum. Teachers who have taught for years have been able to arrange their first field trip-and have been coming annually with the help of MMoCA's financial support.

In ArtZone, kids from neighborhood and community centers visit MMoCA during after-school hours to tour an exhibition and make art inspired by what they've seen and shared. All teaching and transportation costs are borne by the museum.

MMoCA also support artists in the state through the Wisconsin Triennial exhibitions, and will soon mount another installment of the biennial Young at Art exhibition, a long-standing collaboration with the Madison Metropolitan School District in which students in kindergarten through grade twelve have their art on display in MMoCA's State Street Gallery. Nearly 1000 people attend the opening celebrations for the Triennial and Young at Art. Lecture series are free and open to the public for all the museum's exhibitions, as are learning resources designed for teachers, families, and adults.

And of course, the museum's annual Art Fair on the Square, brings thousands of people to downtown Madison in July.

Finally, we are pleased to be partnering with the Overture Center in a new, interdisciplinary school residency program that its education and outreach staff have developed and organized.

A lot of good work takes place at the Overture Center through its resident organizations, and through the Overture Center's outreach and education programming. On behalf of MMoCA, we urge MAC to support city plans to move forward with a new management structure for Overture Center for the Arts.

Kia Karlen, 94 S Fair Oaks, Madison: Local musician, Director of Education at MCM. Ms. Karlen felt the data from the Cultural Plan was a bit skewed. Staff have helped us (her band of musicians) make connections regionally and have written letters of support that have garnered international opportunities. Ms. Karlen also emphasized the many opportunities that children have a chance to participate in the arts at Overture. They get to be on stage.

Overture makes a significant impact with its outreach. "It frustrates me to no end that people in the community don't see the breadth of outreach in the community."

William Rowe, 2010 Elka Ln #2, Madison: Thank you for serving. I appreciate all the time that is given. We've been given the marvelous gift of this building and we need to grow into it. It will be a marvelous place for MATC or UW Madison, a place to help our children. The schools can't do it. We need to have this thing managed in the next several years. We can't be begging from the public. Let's run it with profit. We are considered elitist. We need to get this (debt) off the table. I am a retired state employee and I believe in taking care of people but if that needs to be taken off the table so be it.

Georgene Pomplun, 8778 Oak Grove Rd, Mount Horeb: Chair of DCCAC, sit on the CP Steering Committee, Painter, work for the University. Made a statement of hardy support of the Overture. Encourage the community to become actively involved of Overture. Overture is a vital part of the fabric of Madison.

Katie Kazan, 10 Quinn Cir, Madison: Employed by MMoCA but speaking for myself. React and adjust. I think this plan gives the community the time to build. It ultimately gives the City the time to do that.

Melanie Herzog, 401 Elmside Blvd, Madison: Teach Art History at Edgewood. Representing myself. I owe so much to so many of the organizations at Overture. I've served on the jury for the gallery for the community galleries, spoken at MMoCA and Overture. It is such an important resource for educators. I've brought students to performances there and many of my college students have never set foot in a museum. One of the things I speak to my students about is the importance of experiencing community art and world-class art. You can do both of those things at Overture. Overture is also important to families. I support the idea of the City owning Overture. Overture deserves our best care. My reservation is my concern for the workers there. They deserve the benefits of City workers. If there is some way to make that happen I would support that.

Registered in support, not wishing to speak: **Scott Thornton, 1104 Jenifer St, Madison;**
George Gonzalez, 2045 Rusk St, Madison; **Karen Crossley, 459 Sidney St, Madison.**

Linda Baldwin, 2930 Lakeland, Madison: Registered in support and available to answer questions.

Emailed Comments were read into the record (attached to ID 20227)

DISCLOSURES AND RECUSALS UNDER THE ETHICS CODE

Celia Klehr disclosed her relationship with Forward Theater Company who rents space from Overture. She receives no financial benefit and that relationship will not influence her decisions.

NEW BUSINESS

1. [20267](#) October 2010 Blink Applications

A motion was made by Elson, seconded by Farley, to Approve the following BLINK funding: Tim Browning \$500 for "Ice Dog," Chris Murphy \$1000 from the anticipated 2011 arts grants funding for "Hide & Go Seek," Nicholas Wynia \$500 from UW-Year of the Arts Matching funds for "Daystar," Gabriel Pionkowski \$500 from UW-Year of the Arts Matching funds for "V(v)oid," and Tyanne Buie \$500 for "Madison, A Glimpse." The motion passed by voice vote/other.

2. [19766](#) Briefing on Overture Center for the Arts

Mary Berryman Agard answered questions about the document "Excerpted Draft Findings of the Madison Cultural Plan with regard to the Overture Center." Q: What is this document? A: Any time a survey respondent mentioned Overture that data was pulled for this document. There is a fundamental fact that this facility is too expensive to afford without a management plan closely crafted to our community. If the conversation is on risk and risk avoidance and not the opportunities, we are on a fool's errand. Your job is to assess if there is a management plan proposed that is different enough...There is risk in not immediately affirming the current proposal. Neither 201 State nor the City appears to be comfortable owning the facility.

Linda Baldwin spoke to the question of opportunity for collaboration. 201 State recognized that the University could be a collaborator and possibly an owner. Madison College is interested in working with Overture. It has been more difficult to get through the rather siloed University but because of the construction at Union Theater there may be additional opportunities.

Mr. Carto's presentation.
There is a lot of activity with the University - Freshman First Night.

At the last Common Council meeting Alders voted against independent review. Unfortunately, we lost time there. We hope the consultant will have time in the next 3 weeks to come back with a positive assessment. The Mayor's office, council leadership Mark Clear and Lauren Cnare were at the table with 201 State. The model shows, and the terms call for, provisions for maintenance employees to stay City employees, the length of time for the transition is 18 months. The new operator takes over in 2012. It is also on the term sheet that 201 State will offer jobs to everyone who is working there now. There will be health, retirement, etc. Details haven't been worked out. There are also bumping rights if employees want to remain in Civil Service. Several employees will be retirement eligible. They could retire, collect their pension and be rehired by 201 State. There are all kinds of options. If you look at this in different pieces it isn't a one time change where employees are hanging out without options. Performance standards and benchmarks are in the proposal too. CC is very likely to refer to the November 30 meeting. Why do we need this now? We started this process in 2008 because we knew that the money that Mary was talking about was no longer there. We knew things had to change. The taxpayers would have continued to have to pay for cap needs if the Civic Center would have continued but the Overture spared them. There are some contentious issues about the focus model, but it is just that, a model. It calls for more fundraising. The Madison Community Foundation acknowledged the capacity for increased fundraising. It calls for more activity. Community engagement. The forbearance agreement does not site the focus model. We think there is too much at stake to play with the banks. Very hard to operate Overture under the specter of bankruptcy. There is no way for us to operate under the specter of bankruptcy.

Susan Crofton, Vice President of Programming gave a brief overview of programming in 2009 & 2010 (355 programs. 38% were free, 189,000 people reached, Kids in the Rotunda) We would welcome a community access committee.

Tim Sauers - Director of Education and Community Education spoke about community programs being implemented. "We're at capacity with most of our programs that is why I'm continuing to grow new ones." Kids in the Rotunda (community panel with parents, artists, kids). Tommy awards, Community Arts Access, building partnerships with local organizations. \$40,000-\$60,000 of rental subsidies from that program. WBF (reaches 15,000 people every year), Forward Theater created their first show, ...UW Madison, Madison Arts Enterprise. UW Health, living with AIDS, Mary Lou Williams, Broadway kids Wisconsin, WI story project. All resident companies have education in common. We're building a multi-year program with 2 schools. 10 week after-school program. (Kennedy Center, NEA, Olson Trust, Alliant Energy Center). We're ripe for growth.

Beth Racette has worked at Overture since 1997. Ms. Racette manages exhibition galleries (Community artists have particularly benefited from Overture's Arts access fund.) We provide group receptions for each cycle. Overture has worked hard to respond to artists.

Briony Foy asked for Overture to include community artists in your educational outreach. Build the hole roster and develop a teaching philosophy.

8:15pm (5 minute break)

3. [20227](#) Final Report of the Overture Ad Hoc Committee to the Mayor and Common Council - Mark D. Bugher, Chair

(Tom Carto provided answers unless otherwise indicated)

Q: José wants to know what the consultant will be considering.

A: the consultant will validate or invalidate the proposed model.

Q: Did AMS look at the other models?

A: No. How was it decided that the model that would get the most attention was the private/public model. Seemed to be the most balanced and cost effective.

Tom Farley Statement: I'm worried that the CC is evaluating the model based on affordable programming. I have not heard discussion of its viability or its potential as an economic generator to bring revenue to downtown. The City has an interest that Overture deliver if they are going to invest in its future. Are we going to look at the financial model. My fear is that if there isn't a certain level of...there needs to be an incubation period...if there isn't sufficient free programming would artists would rather see it sink into the ground?

José thinks that there will be a community voice to advise the governance. They have been trying to run this as a business for quite a while but it hasn't succeeded. We need to get that involvement. The Mayor's office negotiated the terms (sticking points - the future of the workers, governance, the capital budget - what will that be?).

A: What alternative model do you propose?

Norma Sober, not comfortable endorsing something with big pieces of information missing.

Alder Brian Solomon - clarified the process the Common Council will go through

Q: Where are the other models?

A: It was determined that the Public model would require a much higher subsidy from the City. The notion was trying to keep the tax-payers exposure as minimal as possible. In the Private-Private model all the employees would be private and it would take years to build an endowment big enough to support it.

Unattributed Commissioner Comment: There may be different public/private model that we don't get to explore.

A motion was made by Foy, seconded by Madera, to Return to Lead with

Recommendation to accept the recommendations in the Ad Hoc Report. Commissioners expressed frustration at being presented with only one model for consideration, private/public. They wanted to express support for Overture and the work of the Ad Hoc Committee, including the recommendations in the report, without specifically endorsing the AMS model that has been proposed. They strongly support the recommendations of the Ad Hoc Committee, especially having an independent consultant evaluate the feasibility of the proposed model and encourage the Common Council to reconsider investing in further investigation. There was no quorum majority decision and therefore is no recommendation to the Lead. The motion received the following vote:

- Excused:** 4 -
Groves Batiza; Schweitzer; Nelson and Robida
- Ayes:** 3 -
Madera; Farley and Foy
- Noes:** 2 -
Rummel and Elson
- Abstentions:** 1 -
Sober
- Non Voting:** 1 -
Klehr

ADJOURNMENT

The Chair adjourned the meeting at 9:47pm.