

## **LRP: Art in Parks Policy Development-Late 2019 and 2020**

### Context:

The 2018-23 Park and Open Space Plan includes a mission statement and vision statement, which guide actions of the Board of Park Commissioners (BPC), Madison Parks Foundation and the city's Parks Division. The fifth element of the mission statement reads: "Provide opportunities for cultural interaction by facilitating community and events and through the display of public art."

### Proposal

Develop policy (ies) to inform and/or guide the BPC in decision-making relative to the installation of both permanent and temporary (less than 12 months) art, usually sculptures. (Note that some events may include a temporary art installation as part of the event. In those instances, if the event is approved by the BPC, then the art installation is also considered approved as part of the park event permit.)

### Why policy (ies) are needed

The BPC regularly receives proposals to install art in parks. Recent examples include the Mildred Harnack Memorial at Marshall Park and the Sid Boyum sculptures at two of our east-side parks. There are no policies to inform and/or guide the decision-making process. The result is an inconsistent and less than ideally transparent application, review and decision process.

### Process and timeline to develop policy (ies)

Use resources such as Assistant superintendent, Community Services, park supervisors, as well as Karin Wolf, arts program administrator, Madison Arts Commission; Bill Fruhling, principal planner; and the Madison Arts Commission.

The topic was on the LRP agenda for December 2019. It will be on the agenda for some 2020 meetings—January, review and discuss research; March, discuss further research and draft policy; and May, final edits and vote in committee to refer policy (ies) to the BPC.

### Background

There are 30 art installations in Madison's 270 parks. The majority (19) are at Olbrich Gardens. The most-recent installations were in 2019 and included "Pronouns" at Emerson East, "Monumental" at Elver and the Mildred Harnack Memorial at Marshall.

The current installations at Olbrich Gardens are:

- 7 pieces by Sylvia Beckman in Olbrich Gardens in bronze, in limestone and in stone
- 2 bronze pieces by Rose Van Vranken Hickey

- An iron piece by Robert Anderson
- 2 works by Sid Boyum, one stone and one painted cast concrete
- 2 pieces by Michael Burns, one in stone and the other in stone, bronze and limestone
- 1 limestone piece by Marie Michie
- A work by Alan Tollakson in stone and limestone
- 1 work by William King in steel and aluminum
- A piece by Douglas and Renee Sigwarth
- Various pieces and artists from Thailand

Other parks and artists are:

- Law Park, a piece by Robert Curtis and using many metals, stone and concrete
- Vilas Park, Annie C. Stewart Memorial in marble by Frederic J. Clasgens
- Yahara, Wirth, Warner and Circle parks each have a piece by Sid Boyum
- Lakeland-Schiller Triangle Park, an installation by Harry Whitehorse
- South Park and Beld streets, a work by Edgar Jerome Jeter that's been recently refurbished
- Cypress Spray Park has a piece by Melanie Kehoss
- BB Clark Beach has installations by Erika Koivunen
- Brittingham Park has "Updraft" by Mike Burns
- Marshall Park, the Mildred Fish Harnack memorial by John Durbrow
- Emerson Park East, the People's Pronouns by Raymond Chi
- Elver Park has a new statue by Jeffrey Repko

There is a document guiding the work of the [Madison Arts Commission \(MAC\)](#). It is the [Madison Public Art Framework and Field Guide](#).

The MAC 1) solicits and pays for public art that is installed on a temporary (less than 12 months, known as BLINK installations) or permanent basis, 2) provides a portion of acquisition and installation costs if a group or neighborhood approaches the city with an endowment/fundraising proposal or 3) accepts donated pieces. The city council is the final arbiter for all permanent installations.

Regarding **solicited art**, the MAC develops an RFP based on stakeholder input. The MAC reviews and narrows to usually three or fewer artists/art teams. The finalist artists/art teams receive a design fee to develop a design prospectus. An engineer is involved to do a site assessment for where the piece will be installed. Once a final piece is selected, there is a contract between the artist and the city.

Regarding a **group or neighborhood art project**, an example is “Updraft” in Brittingham Park. The city provided a seed grant and the Monona Bay Neighborhood Association raised funds for the remainder of the costs.

Regarding **donations**, Wolf said that 90% of art donors request that their piece go into a park. These donations, she said, have to come with an endowment and needs a maintenance agreement. She and Fruhling said they want a balance when it comes to placing art in parks, not using them as “dumping ground” and, at the same time, not ignoring the value of placing art in parks.

The workflow of art installations is:

1. Review by city Parks staff—CS, Ops, PDD, OLB
2. Prepare a temporary land use permit
3. Notify the alder and the neighborhood association, if applicable
4. BPC approval

\*City Council approval is needed if the installation involves a Neighborhood Planning Grant

Three other items for background:

1. In 2019, the city council adopted an ordinance that goes into effect this year to dedicate 1 percent of the budget of any city capital project over \$5 million to public art. The funds can be used to create and integrate a new piece into the construction or remodeling or can be used later.
2. At its September 2019 meeting, the BPC tabled a request to place a circus elephant statue in a city park for a temporary timeperiod. The city attorney’s office provided a thorough memo on the request and one salient passage read: “If the Park Commission wishes to approve non-City temporary sculptures, those that are not part of a City-sponsored initiative, this office would likely advise the Commission to adopt appropriate, constitutional criteria for approval. The nature of the criteria would depend on what type of policy the Commission is interested in. A wide-open policy of approving anyone’s temporary sculptures might require content-neutral criteria (size, location, duration, safety, insurance, etc.) that is not based on the subject matter of the piece or the group that is placing it there. A more restrictive policy could be limited to topics that align, for example, with the parks’ mission or with particular uses of individual parks. If the Park Commission wishes to set some guidelines for accepting certain sculptures and physical displays in City parks, this should be done thoughtfully and with careful planning and legal advice from the Office of the City Attorney. Such advice would be too lengthy for this memo.”

The memo also noted the request was different than the 2018 temporary installation of a “Bucky on Parade” statue in James Madison Park. In that instance, the statue was part of a Greater Madison Convention and Visitor’s Bureau initiative, which is the city’s tourist arm under a contract. In essence, it was the city’s installation, not a request from an outside group as the circus elephant statue had been.

3. How do other communities or entities make these decisions? UW-Madison follows an ad hoc process involving Campus Planning, along with a faculty committee and generally staff from the Chazen Museum of Art.

We will continue to research policies or practices of other entities or municipalities.

### Considerations

These could be building blocks for guiding the City of Madison policy (ies).

- a. Maintenance of the grounds surrounding the art installation.
- b. Placement of the piece and how it will affect the property's viewshed.
- c. Placement near other park amenities. For example, if a piece is placed near a children's playground does that implicitly invite climbing on the piece.
- d. Geographic distribution within the city.
- e. The "footprint" of a piece. How much space will it take from a park so that space will not be available for other uses.
- f. Existing amenities/uses in the park where the piece is proposed for installation. Will it conflict with those existing amenities/uses? Likewise, what about having an installation complement a park. An example might be a dog-themed piece for a dog park.
- g. Use the [Park and Open Space Plan Strategies](#) as a means to consider the acceptance and placement of art in the parks. These categories can be used to evaluate placing the art in a park, or not. In particular, these overall strategies could be useful:
  - i. Accommodate diverse activities and populations
  - ii. Protect and enhance natural and cultural resources
  - iii. Create equitable access and funding for parks
  - iv. Increase connectivity between parks to enhance access
  - v. Increase engagement with groups and organizations and develop new ones
  - vi. Pursue regional solutions to regional issues
- h. Consider the effort to maintain the actual installation, and the liability/insurance associated with it. The MAC is responsible for such factors. Or if it is a donation, there is an endowment provided for such factors.
- i. Do not primarily consider the artistic merit of a piece proposed for installation. That is the role of the MAC. However, do take into account neighborhood input regarding a proposed installation.
- j. Allow for broad representation of artists. Consider acceptance of work from artists who don't currently have piece (s) installed.
- k. Consider work by artists from traditionally underrepresented populations.
- l. *What is the material that Karin Wolf gives to BLINK applicants? Can that language be woven into our decision matrix for policymaking?*