

Delano Public Visual Art Policies and Procedures

1.0 Mission

The City of Delano desires policies and procedures to encourage the display of public visual art within the City and to provide a mechanism for the inclusion of public art through the city in specific parks and outdoor public open spaces.

2.0 Goals Public visual art within the community shall further one or more of the goals outlined below:

1. Provide a forum for public art and artistic expression within the community
2. Allow public art as a vehicle to express the City's history and cultural heritage
3. Strengthen the community's sense of spirit, pride, and community values
4. Generate cultural tourism and create economic impact
5. Utilize resources efficiently and provide for sustainability

3.0 Sites

3.1 Sculpture Park (Highway 12 Riverfront and/or CR 30 Triangle)

This location functions as a passive park-like public open space. It is adjacent to both the bustling highway corridor and the serene riverway, providing an interesting opportunity for artistic impression. The site provides opportunities for traditional and abstract art, focusing on organic and natural traits of the area. Sculptures in this location should harmonize with the age, geography, historical, and/or physical features of the Delano community.

3.2 Downtown Sites

Downtown Delano contains several public open spaces that would be accommodating to public art. As the historic home of Delano's earliest days, the downtown also celebrates the geographic features of the Crow River. Like the Highway 12 Sculpture Park, downtown provides opportunities for traditional and abstract art, focusing on organic and natural traits of the area. Sculptures in this location should harmonize with the age, geography, historical, and/or physical features of the Delano community.

3.3 Other parks and public open spaces

There are a number of other parks and open spaces within the community that could be accommodating and appropriate to a variety of art elements. The City, through the processes outlined herein, will review any and all proposals for art in parks and open spaces on a case-by-case basis.

4.0 Types of Projects

4.1 Public Art Commissioned by City

From time-to-time, the City may desire to commission public art projects. Any art projects initiated by the City shall follow the process for review as outlined in these policies and procedures.

4.2 Donations or Loans of Artwork

The City provides an opportunity for donation or loans of artwork for display on public property. Any individual, group, or corporation interested in donating or loaning artwork for display shall follow the policies and procedures outlined in this document. Any donations or loans must occur under the following terms:

- a. All donations and loans shall be reviewed by the City of Delano and approved.
- b. As part of the approval process, the owner or owner's representative of the project will be required to enter into an Art Display Agreement. This agreement shall outline the length of the loan or statement of donation, location, maintenance requirements, cost responsibility, insurance, value of art work, installation and removal responsibility, and other items not specifically mentioned. If ongoing maintenance requirements, cost responsibility, or other obligations are the burden of the owner or owner's representative, then the sustainability of the owner or owner's representative shall be added to Section 5.3 as a condition of review.
- c. All siting decisions shall be made by the City Council, with input from advisory groups and/or community members.
- d. All donated works become part of the City's art collection and, as such, may be relocated or removed from display at any time following the procedures outlined in Section 7.0 of this document.

5.0 Process for Review

5.1 Review/Approval Process

Applications for public review must meet the submission requirements outlined below. Once an application is received by the City, it will be scheduled for an upcoming City Council meeting when agenda time is available. It is anticipated that this process should take between 31-60 days. The review process shall then be as follows:

- a. Acceptance of the application by the City Council. The Council shall review the application and direct staff to proceed with the review procedures.
- b. The application and its contents shall be forwarded to three entities: the City's Park and Recreation Commission, the City's Heritage Preservation Commission, and the Delano Area Council for Arts and Culture. These three committees shall provide a review of the application and comments on the application's merits.
- c. A 30-day public review period shall also begin with the City Council's direction for application review. Three mechanisms are outlined for public review:
 - i. The application shall be available at City Hall for public comment.
 - ii. The application shall be posted on the City's website with an opportunity for community members to post a comment.

- iii. Property owners (business and residential properties) within 350 feet shall be provided written notice of the application and given the opportunity to submit a written comment. Such notice shall be mailed within 15 days prior to the end of the 30-day public review period, or the public review period shall be extended accordingly to accommodate 15 days following the mailing of property owner notices.
- d. Following the 30-day public review period, the City’s Art Review Committee shall convene a meeting and provide a recommendation regarding the application to the City Council. The recommendation shall include all of the comments received during the review period and a summary of the recommendations from the three committees. The Art Review Committee shall be comprised of a representative from each of the application review committees – Park and Recreation Commission, Heritage Preservation Commission, and the Delano Council for Arts and Culture.
- e. The City Council shall review the application, recommendation from the Art Review Committee, and public comments received prior to making a final decision on the application. The City Council’s final review may take place within 30 days following the 30-day review period.
- f. Conflict of Interest Statement: In no event shall the applicant or representative of the applicant be part of the Art Review Committee.

5.2 Submission Requirements

Applications will not be deemed acceptable unless accompanied with the following information:

- a. A photo, drawing, or sketch of the art piece
- b. Estimated cost of construction and design and proposed funding sources
- c. Description of the materials used to create structure including materials needed to display/secure the structure
- d. Dimensions of the structure including appropriate base materials needed
- e. Description, including materials, dimensions, wording and location, of interpretive signage for the structure
- f. Statement regarding relationship to proposed site including aesthetic, cultural, or historic ties.
- g. An estimate of design lifespan of the structure and potential annual maintenance needed to maintain structural integrity
- h. Statement as to whether the work is unique or duplicates other work
- i. Proposed construction methods

5.3 Guidelines for Review

The review committees, the Art Review Committee, and City Council will consider the following criteria in its review of all art on public parks and open spaces:

- a. The City’s overall collection shall strive for diversity in style, scale, media, and artists.

- b. If the structure is to be erected outdoors, the physical condition of the structure should be considered in terms of durability in an outdoor setting. Any requirements for immediate or future conservation should be noted.
- c. The structure must add interest and meaning to the environment in which it is placed. It must be compatible in scale, material, form, and content with its surrounding and for an overall relationship with the site. Structure must conform to any existing Master Plan for the site.
- d. The structure must have social, cultural, historical, or physical context to the site and/or community, either existing or planned.
- e. Structures whose messages are exclusively religious in nature will not be accepted.
- f. Structures whose messages are exclusively political in nature will only be considered if the political message is of a historical context.
- g. Structures that will provide burdensome maintenance costs on the City, according to its discretion, will not be accepted.
- h. Structure shall provide overall artistic merit, creativity, and vision (originality, ambition, connection with people and region, technical competence and craftsmanship).
- i. Message and content shall be judged by generally accepted community standards.
- j. Preference given to work created by local and regional artists.
- k. Artist's background and ability.
- l. Pertinence to local people, history, events and cultural & ethnic heritage or related to location.
- m. Support and collaboration for the project.
- n. No conflict of interest with funding sources
- o. Clear title of ownership.
- p. Must meet City Codes and Ordinances.
- q. Avoid over-representation by any one artist.
- r. Prioritized list of sites and localities.
- s. Public safety.
- t. Artwork should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building, on a sidewalk or path.
- u. Art should not be placed in a given site if the landscaping and maintenance requirements of that site cannot be met on a long-term basis.

6.0 Maintenance

Costs of on-going maintenance and repair anticipated through the lifespan of any artwork will be important considerations during the acceptance process. Costs for such activities must fall within the City's budgeted funding sources and the City must have labor availability to meet the maintenance needs. In the event any proposed artwork exceeds the City's capacity for maintenance or repair, the donating person or entity will be responsible to include resources for maintenance and repair in the Art Display Agreement.

7.0 Removal of Public Art

The city shall remove and dispose of works of art when it finds such action to be in the public interested based upon the following:

- a. The artwork has no relevance to the collection or serves no exhibition function.
- b. The artwork has been vandalized and is unable to be repaired for any reason, including physical, structural, or financial reasons.
- c. The artwork no longer meets the current standards for public art.
- d. The artwork is no longer repairable or is in a seriously deteriorated condition.
- e. Due to the concerns for public safety if an artwork becomes a hazard or a public liability.
- f. Removal should not be based on current fashion or taste.

Recommendations for removal of public art shall be directed to the City Council. If the City Council determines a review is appropriate, it shall follow the same procedures as outlined for the application for new artwork in Section 5.1 of this document.

Once approval for removal is granted, the structure shall be disposed of in accordance with Minnesota Statutes Chapter 471.