

City of Franklin
Public Art Program Guidelines
Draft Version – October 27, 2016

I. Mission and Purpose

The City of Franklin’s Public Art Program seeks to use art to enhance the quality of life for our citizens and visitors by encouraging a heightened sense of place, increasing our community’s visual quality of Franklin’s built environment. The Franklin Public Art Program promotes a public initiative of outreach and education while working to preserve the city’s rich cultural heritage and emerging urban form. The program is committed to creating community through public art and builds upon community support to conserve, preserve and make available public art to citizens and visitors. The Franklin Public Art Program aims to enrich the community through the integration of the vision and work of artists into planning, design and construction of public spaces.

The purpose of the Public Art Program is to:

- 1) Interweave art with the urban fabric;
- 2) Create a unique image and sense of place;
- 3) Encourage positive civic discourse;
- 4) Celebrate historic events and persons;
- 5) Inspire, educate, beautify and give character to public places;
- 6) Provide opportunities to facilitate the community values of inclusion, civic pride, cultural diversity and appreciation of the creative spirit;
- 7) Enhance the visibility and stature of Franklin in local, regional, national, and international arenas; and
- 8) Foster collective memory and give meaning to place by recalling local and regional history.

II. Definitions

Appraisal – a certified estimation of the value of an item.

Art – the expression or application of human creative skill and imagination, typically in various types and disciplines, such as but not limited to paintings, sculptures, photographs, etc., that are created to be appreciated primarily for their meaning, experience, beauty, and/or emotional power.

- *Bas-relief* – a type of sculpture, carving, or molding in which shapes are carved so that they are only slightly higher than the flat background.
- *Fresco* – the type of art or technique of painting on a moist, plater surface with colors ground up in water or a limewater mixture; a picture or design so painted.

- *Kinetic (sculptures)* – the type of art, as sculptural constructions, having movable parts activated by motor, wind, hand pressure, or other direct means and often having additional variable elements, for example shifting lights.
- *Masonry* – artwork created using stone, brick, or concrete.
- *Mosaic* – the type of art of creating images with an assemblage of small pieces of colored glass, stone, or other materials; a technique of decorative art or interior decoration; a picture or design created in this manner.
- *Painting* – the process or creation of artwork using paint.
- *Sculpture* – the art of making two or three dimensional representative or abstract forms, especially by carving stone or wood or by casting metal or plaster.
- *Topiary* - the type of art involving training, cutting, and trimming trees and/or shrubbery into ornamental shapes.

Artwork in Public View – art located on the exterior of public or non-residentially zoned private property able to be viewed/observed from public property.

Civic Discourse – engagement in conversation intended to enhance understanding.

Design Work – a plan or drawing produced to show the look and function of workings of artwork before it is created and installed.

Limited Edition – an edition limited to a small number of copies.

Private Property – Private property – land not owned by the government or dedicated to public use.

Public Art on Private Property – artwork in any media that has been planned and executed with the intention of being staged on private, non-residential property for viewing by those on the physical public domain located beyond the exterior walls of a building or structure.

Public Art – art in any media that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.

Public Property – legal designation for the ownership of property by a state entity

Signage – graphic designs as symbols, emblems or works used for identification or as a means of giving directions or warning.

Site Plan – an architectural plan that demonstrates the proposed alterations (layout, scale, appearance) to a given lot and/or structure.

Sociocultural – of, relating to, or signifying the combination or interaction of social and cultural elements.

Urban Fabric – the physical aspect of urbanism, emphasizing building types, thoroughfares, open space, frontages, and streetscapes.

Water Feature – an ornamental structure for discharging such a jet or a number of jets, often an elaborate or artistic work with basins, sculptures, etc.

III. Eligible and Ineligible Artworks

Public Art in Franklin can be attained by the City through a variety of methods. All artwork accessioned into the public art collection is subject to criteria set forth in this policy. All decisions regarding the accessioning of artwork are recommended by the Franklin Public Art Commission (FPAC), and once approved by BOMA, are considered final.

CRITERIA:

- 1) Artwork must be consistent with the Scope of the Collection and the Franklin Public Art Program Purpose and Mission.
- 2) Artwork should be of exceptional quality and enduring value as judged by the FPAC.
- 3) Strong preference is given to artwork that is unique or of a limited edition.
- 4) Permanently sited artwork shall relate to the architectural, historical, geographical, and/or sociocultural context of the site.
- 5) Funding and documentation for the installation, future maintenance, and decommissioning shall be included in an application and FPAC recommendation.
- 6) As applicable, the artwork shall meet City structural, building, right-of-way, electrical, and other codes for safety.
- 7) As applicable, the artwork shall be accessible to all people and meet Federal Americans with Disabilities Act requirements.
- 8) Artwork must be durable for outdoors and in good condition.
- 9) Existing artwork shall have provenance information establishing clear title.

A. Eligible Artworks:

All artworks commissioned or acquired under the Franklin Public Art Program shall be designed, or the process facilitated by, artist(s). Such artworks may include, but are not limited to:

- 1) Design work provided by the artists, including:
 - i. Artwork mounted or painted on exterior surfaces, fixtures and functional elements.
 - ii. Outdoor space design elements in areas such as plazas, public parks, arcades, and pedestrian passageways.
 - iii. Artistic design of roadways, bridges, parkways, pedestrian or bicycle pathways, transit system improvements, water and watershed facilities, solid waste transfer stations and sites with historic, archeological, and unique geological features.
- 2) Forms of visual art such as, but not limited to:

- i. Sculptures, including bas-relief (cast), mobile, fountain, environmental, kinetic and electronic, in any material or combination of materials.
- ii. All paintings, including murals and frescoes on portable and/or permanent structures.
- iii. Art forms in clay, fiber and textile woods, metal, plastics, glass mosaics and other material; any combination or forms of media.

B. Ineligible Artworks:

- 1) “Art objects” which are mass-produced of standard design such as playground equipment, fountains, or statuary objects, unless incorporated into the artwork by a project artist.
- 2) Directional elements such as graphics, signage unless where these elements are integral parts of the original work of art or public art project.
- 3) Reproductions, by mechanical or other means, of original works of art, unless in cases where such reproduction is inherent in the art-making process, such as films, video, photography, printmaking, computer imagery or other media arts.
- 4) Decorative, ornamental or functional elements or architecture except where these elements are designed by the artist and/or are an integral part of the artwork by the artist or are the results of collaboration among design professionals, including at least one artist.
- 5) Services or utilities necessary to operate or maintain the artwork in perpetuity.
- 6) For residential property, artwork is excluded.
- 7) Artwork painted on unpainted masonry that is part of a historically designated building or structure.
- 9) Artwork that is considered distasteful not suitable for public viewing as determined by the FPAC.

IV. City of Franklin Public Arts Commission

The City of Franklin Public Arts Commission (FPAC) is established to provide guidance and oversight for art projects which are for public display, outdoors in the City of Franklin. The Commission is also responsible for developing policies, procedures and regulations necessary to carry out the program. The Commission shall review and make recommendations concerning all aspects of public art, including policy, projects, acquisition, siting, maintenance, adoption, deaccessioning, education and outreach.

The Commission shall consist of sixteen (16) members all of whom are citizens of Williamson County and/or own and operate a business in the City of Franklin, nominated by the Mayor and appointed by the Board of Mayor and Aldermen. The membership of the Commission shall consist of one representative from:

- 1) Fine Arts Department of Williamson County Schools;
- 2) Fine Arts department of Franklin Special School District;
- 3) O’More College;

- 4) the Board of Mayor and Aldermen;
- 5) Franklin Municipal Planning Commission;
- 6) Historic Zoning Commission;
- 7) Williamson County Cultural Arts Commission
- 8) Arts Council of Williamson County;
- 9) Downtown Franklin Main Street Program;
- 10) Williamson County Convention and Visitors Bureau;
- 11) Franklin Tomorrow;
- 12) a licensed landscape architect;
- 13) a building architect; and
- 14) three (3) artists from the local community.

Members are appointed to a three-year term (initially staggered one, two and three years) and can be reappointed for two additional consecutive three-year terms with each member serving no more than nine consecutive years. Terms for the BOMA, FMPC, and HZC members serving on the FPAC will correspond to their terms/appointments. Each year, the Commission shall elect a chair and vice chair from its membership who will serve one year terms. The commission has the power and duty to:

- 1) adopt bylaws for the Commission;
- 2) initiate, sponsor or conduct, alone or in cooperation with other public or private agencies, public programs to further public awareness of, and interest in, the fine and performing arts, and cultural heritage of the City;
- 3) encourage donations and grants to the City for civic arts purposes, to advise the City Board of Mayor and Aldermen regarding the receipt of such donations and grants by the City;
- 4) advise the City concerning the receipt of or purchase of works of art to be placed on public property;
- 5) advise and assist the City in connection with such other artistic and heritage activities as may be referred to it by the City;
- 6) recommend the acceptance or rejection of works of art created for the City or offered as gifts, whether temporary or permanent;
- 7) assist in facilitating public outreach and education about selected artists and public art;
- 8) oversight of public art projects and proposals;
- 9) promote open forums to maintain open dialogue with the community;

- 10) make recommendations to BOMA for the approval and acceptance of works of art selected for public and private art projects;
- 11) include arts and peer professionals (art historians, curators, artists, arts administrators, critics, architects, designers, landscape architects and other individuals with a professional understanding of and experience with the visual arts) in decisions related to all aspects of public art planning and design;
- 12) make recommendations to and coordinate with the City with regard to press announcements about the progress of the project and the artist commissioned for the work.

V. Approval for Placement of Artwork on Private Property

A. Submittal of a Proposal.

An application for placement of public art on private property shall be submitted to the Franklin Public Arts Commission Coordinator and shall include the following:

- 1) Preliminary sketches, photographs or other documentation of sufficient descriptive clarity to indicate the nature of the proposed art, including an accurate description of the colors, size, and materials to be used.
- 2) An appraisal or other evidence of the value of the proposed artwork, including acquisition and installation costs.
- 3) A site plan clearly showing the location of the art and its relation to pedestrian paths of travel on the site and in the vicinity, including adjacent rights-of-way.
- 4) An elevation or perspective rendering showing the streetscape view of the art, including the street elevations of adjacent properties.
- 5) A narrative statement to demonstrate that the art will be displayed in an area open and freely available to the general public, when applicable or that public accessibility will be provided in an equivalent manner based on the characteristics of the artwork or its placement on the site.
- 6) An agreement which requires the property owner, successor in interest, and assigns to:
 - i. Maintain the art in good condition as required by the City's Guidelines for Public Art.
 - ii. Indemnify, defend and hold the City and related parties harmless from any and all claims or liabilities from the public art, in a form acceptable to the City Attorney.
 - iii. Maintain liability insurance, including coverage and limits as may be specified by the City's Risk Manager.

B. Evaluation of a Proposal

- 1) The Franklin Public Arts Commission Coordinator shall schedule a meeting of the Franklin Public Arts Commission to review the public art applications using the adopted Guidelines.

- 2) Upon recommendation of the Franklin Public Arts Commission, the public art application is forwarded to the Historic Zoning Commission, when applicable (i.e. within Historic Preservation Overlay), and the City of Franklin Board of Mayor and Alderman for consideration.

C. Ownership of Art on Private Property

- 1) All art placed on private property remains the property of the applicant, as does the obligation to provide all maintenance necessary to preserve the public art in good condition.
- 2) Maintenance of art includes preservation of the artwork in good condition to the satisfaction of the City, protection of the art against physical defacement, mutilation or alteration and securing and maintaining fire and extended coverage of insurance and vandalism coverage in an amount to be determined by City's Risk Manager. Failure to maintain the public art will be declared to be a public nuisance.
- 3) If the owner fails to maintain the public art or fails to meet appropriate insurance requirements, upon reasonable notice, the City may take actions to remedy the situation as it deems appropriate.
- 4) All artwork donated to the City becomes the property and responsibility of the City upon acceptance by the Board of Mayor and Alderman.

VII. Approval for Placement of Artwork on Public Property

A. Submittal of a Proposal

- 1) All proposals for public art placed on City property are submitted to the City's Public Art Coordinator on the appropriate form. The form must be accompanied by drawings, models, photographs or any other graphic depiction that will help to clearly define the artwork. All proposals shall be for original works of art or limited editions by the original artists or their agent as previously described.

B. Evaluation of a Proposal

- 1) Once the proposal is received by the Public Art Coordinator, s/he calls together the Franklin Public Arts Commission (FPAC).
- 2) The Commission applies the standard guidelines for public art in making a determination that the proposed project is acceptable to the City and should move forward in the approval process.
- 3) Projects proposed for areas of high historical sensitivity, such as the Historic Preservation Overlay, should be given the closest possible scrutiny to determine if the project would be an enhancement to the area. Projects which do not garner the support of the Commission will not proceed.
- 4) If the Commission rejects a proposal, the applicant has the right to appeal this decision to the Board of Mayor of Aldermen. The Commission's findings and rationale for rejecting the project will be made available to the BOMA when considering the appeal.

C. Approval of a Proposal

- 1) Once a project is recommended for placement on City-owned property, it will be reviewed by representatives from the following departments. The City's Public Art Coordinator acts as the project manager for all such projects and is responsible for "shepherding" them through the following approval stages.
 - i. The Public Works Department, Parks Department, and Risk Manager reviews the proposal to insure:
 - ii. that the artwork's placement will not create undue difficulties for maintenance of the surrounding area.
 - iii. that the proposed materials are durable and will not create significant maintenance problems for the artwork itself.
 - iv. that any engineering or structural concerns are addressed.
 - v. to assess whether or not it provides undue risks or safety issues.
 - vi. In some cases, proposals may take additional review because of their nature, design or location.
- 2) Taking into consideration the Franklin Public Arts Commission recommendation, the Board of Mayor and Aldermen has the final approval when considering a proposal.

D. Contract Preparation

Upon conceptual approval of the project by the Board of Mayor and Aldermen, the applicant and the City sign a contract establishing the terms of the proposed installation of art in public places. The BOMA may delegate authority to sign the contract to the City Administrator as part of the conceptual approval process.

E. Issuing of Permits

The applicant is directed to prepare plans and specifications for the artwork where a permit is required (i.e. electrical, structural, etc.).

F. Labeling of Artwork

- 1) In order to avoid the use of donated public art for advertising purposes, a standard plaque, approved by the Franklin Public Art Commission and provided by the donor, is used for all labeling and positioned in such a manner to inform the public of the following:
 - i. title of artwork
 - ii. artist's name
 - iii. date of creation
 - iv. material(s) used (optional)
 - v. short explanation of work (optional)

- vi. donor's name, when applicable

G. Final Acceptance

- 1) *Maintenance.* Before accepting the project, the Public Art Coordinator provides the Public Works Department with a set of plans, specifications, attachments, fabrication details, maintenance requirements, and approved contract.
- 2) *Inspection and Acceptance.* All art projects on public property must have final inspection approval by the Building & Neighborhood Services Department and by the Public Art Coordinator.
- 3) *Ownership.* When applicable (purchased by or donated to the City of Franklin), upon installation, inspection, and acceptance, the artwork becomes the property of the City.

H. Dedication of Artwork

Once installation of the artwork is complete, the Public Art Coordinator organizes a dedication ceremony that presents the piece to the community and recognizes the artistic efforts of the artist.