

EDUCATION, ARTS & CULTURE COMMITTEE

October 13, 2009

3:30 P.M.

Councilman McGary, Chairman, called the meeting of the Education, Arts & Culture Committee to order, with Councilmen Benson, Berz, Gilbert, Scott, Ladd, Rico, Robinson and Murphy present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Nancy Nason, Sandy Coulter, David Johnson, Gary Hilbert, Dan Johnson, Barry Bennett, Richard Beeland, Greg Haynes, Chief Dodd, Chief Cooper, Karen Hundt, Steve Leach, Lee Norris, Chief Parker, Yuen Lee, Larry Zehnder, and Peggy Townsend.

PUBLIC ART PROGRAM—CLARK WORTH

Chairman McGary stated that first, Mr. Clark Worth would give a ten-minute presentation.

(Before this presentation, Councilman Murphy asked about **Resolution (c)** on tonight's agenda that executes a one-year extension of the Eastgate Library property for the amount of \$59,046.00 annually. Councilwoman Berz explained that this was just to extend the Lease that had ran out.)

Mr. Worth stated that he was with a firm called Barney & Worth out of Portland, Oregon; that Chattanooga's Art Plan started in 2004 and was up and running in 2005; that the mission was to introduce high quality art and enrich the lives of our citizens. He stated that this was guided by Lillie Wells and also Councilman McGary. He stated that there were more than 500 Public Art Programs across the country; that 80% are public agencies and 20% non-profit, costing from \$350,000 to \$500,000 per year. The standard practice is Independent Panels. The percentage for art is calculated as part of the Capital Program and Capital Budget and some is private development, mentioning places such as Broward County, Florida; Charlotte; Atlanta; and Huntsville.

Mr. Worth stated that Chattanooga's Public Art Ordinance specifies 1% of the Capital Budget or \$100,000, whichever is greater. He stated that they started asking people in the community what they thought about the art program and people think it is great, and we should find funding for the program. He mentioned the high quality collection in downtown Chattanooga and the Riverfront, stating that this is moving to the Zoo, etc.; that it is a leverage of private and partnerships. He stated that a lot of parties is the key to success and also public participation.

Mr. Worth stated that what Chattanooga had done with public art attracts visitors to the city and also new investors, such as Volkswagen; that the fact that Volkswagen made their announcement at Hunter Museum of Art shows that art was very important to them. He went on to say that most of our priorities had been accomplished with art of the highest quality with a focus on the waterfront and an embracement of Hunter Museum of Art. Now we are moving out into the neighborhoods with interpretative material; however, he stated, Chattanooga still needs a full time professional staff and staffing has to do with funding; that if you calculate 1% of the total Capital Budget, it shows what the City can provide; that it takes about a half million dollars to maintain an art program in most mid-size cities.

He went on with the recipe for the future, which is to seek the highest quality of art possible and to have world-class public art. To do this, we have to find sustainable funding, and the downside is without this funding, the art program is at risk; that a full time staff of two is needed.

Chairman McGary asked to return to the slide that shows the Ordinance on the books since 2004—that it says 1% of the Capital Budget or \$100,000, whichever is greater. He stated that we have not been living up to this Ordinance and just funding \$100,000 flat and not 1%. He stated that this issue needed to be addressed.

Councilman Benson stated that the Ordinance did not have to be modified, with Chairman McGary noting that it says “whichever is greater”. Councilman Benson stated that this was not what it was intended to be. Councilman Murphy added that it could be \$100,000 and other subsidies, also. Mr. Worth maintained that this was part of the infrastructure and just for public art. Councilman Murphy agreed that the art venue has to be maintained.

Councilwoman Berz stated that we were not talking about the art venue but a piece of art. She asked if this Ordinance had been changed?

Dan Johnson maintained that the way it is currently written is \$100,000 **or** 1%, not whichever is greater; that it was changed in either 2005 or 2006; that the Capital Budget covers anything constructed above ground; that Councilman Benson was right. Councilman Benson added that if it had not been changed, that the Council could amend it.

Councilwoman Scott stated that we fund a lot of agencies dealing with art, and she did not know if they had a component of public art. Mr. Worth stated that he was not aware that they do.

Chairman McGary stated that we know the economy is going through a hard time and art is out of tune; that public art was a great economic draw to Volkswagen and intangibles make us distinct; that it is important that we operate from some Ordinance, and this Ordinance had not been amended at this time; that he would love to have some new information on this; that it is **our** Ordinance, and we need to affirm it or amend it if it is not being followed. He stated that he would call another meeting on this next week because he thought this was an issue worthy of discussion.

Councilwoman Robinson stated that she was present in 2004 when we were saying what constitutes public art; that at that time Chattanooga's art was one fireman holding a fire hose and a brick sculpture; that we had precious little, and the City is looking different now, and we were very proud of it; that in Europe, art is part of the landscape, and she was very proud that we were growing up and were even bigger than a mid-size city; that we were looking more sophisticated and prosperous and Europeans were finding out our intangibles; that we were coming to embrace public art and loving it; that it is something our neighborhoods are embracing.

Councilwoman Berz stated that she would like to echo what Councilwoman Robinson is saying; that we know our community by its art; that there was another piece to this in Brainerd with the new art at the tunnel, and it had brought the community together—that it was a wonderful and good community—that a diverse community had come together, and she was very much in favor of public art and asked Councilman Benson to look at the art at Heritage. Councilman Benson responded that this was paid for by Allied Arts (Roast Beef). Councilwoman Berz added that the art at the tunnel was paid for by private funds in partnership with Parks and Recreation, the State, and Neighborhood Services and people of the community; that the money leverage was far greater.

Chairman McGary stated that this was what we were investing as a community; that the Public Art Program was worth keeping, and the Foundations were doing the heavy lifting, and it is our responsibility for our citizens.

Mr. Johnson pointed out that in 2005, we spent \$1.5 million on the waterfront.

Chairman McGary asked what we will do in the future.

Councilwoman Robinson stated that it was great to have people to make this happen such as Karen Hundt, Lillie Wells and Peggy Townsend, and she thanked each one of them.

ALCOHOL/WINE SALES AT TIVOLI AND MEMORIAL AUDITORIUM

Chairman McGary presented a handout from Missy Crutchfield that is made a part of this minute material. He stated that this concerns sales and is a comparison to other cities our size who are similar. He read the following excerpt *“Now that the Chattanooga Downtown Partnership (CPD) no longer has management control, it should also be addressed whether alcoholic beverages can be sold during events at the Memorial Auditorium and Tivoli Theater. In order to be able to sell alcoholic beverages on the premises, the theater must fit into one of the seventeen (17) enumerated facilities where it is lawful to sell alcoholic beverages. Under Tennessee Code Annotated, it is lawful to sell wine and other alcohol beverages to be consumed on the premises of any “historic performing arts center” as defined, to those in attendance of the performing arts center subject to the further provisions of this chapter.*

Chairman McGary stated that this conversation had been going on for 25+ years and some looked at this from a religious standpoint and some from the number of feet from a school or church; that he was bringing this before the Council and asking for three options: (1) Look at a non-profit organization to partner with; (2) Sell these two buildings where they will no longer be under city control; or (3) Start our own non-profit organization.

Councilwoman Robinson pointed out that we have our TAPA Organization, which is a 501.c3, and they could be given oversight.

Chairman McGary asked how long they had been in effect and was told since 1989.

Councilman Murphy stated that we would need to put the Memorial Auditorium in the downtown zone, which now ends at Georgia Ave.; that our downtown is going to get bigger, and we need to move the downtown line before development gets bottle-necked. He questioned if it were permissible to give a franchise to another entity? Attorney McMahan responded that he was not ready to answer that.

Councilwoman Robinson stated that we involved the University early on; that another question was would we allow alcohol sales within (x) number of feet from a church; that most of the events would be when church is not in session; that we could tweak here and there.

Chairman McGary stated that the Memorial Auditorium was zoned R-1.

Attorney McMahan stated that a fourth option was to go to the legislature and ask to fit our model; that the C-3 Zone does not have footage requirements.

Councilwoman Ladd stated that one thing to consider is the cost of the maintenance issue, which will go up; that alcohol ruins carpets and floors, and there will be a lot more maintenance with spillage and stains.

David Johnson noted that drinks could not be taken into the actual seating portion of the Auditorium.

Councilwoman Berz stated that the issue was “Do we or do we not want to sell alcohol and wine”? That if the answer is “yes we do”, then we can make it happen.

Councilman Murphy noted that we could buy a lot of carpet with the revenue projection; that it would become revenue neutral.

David Johnson stated that Knoxville does allow it; that we could take a portion of the revenue and use it for cleaning; that he could not answer the revenue questions without a projection; that Knoxville had had a net profit in the last 4-5 years; that Huntsville is a Convention Center, which is a whole different ballgame because they have full catering; that concessions is a revenue source that has not been tapped to its fullest; that after our facilities were renovated, we did not want the movie-mentality; that we only had three custodians; that if we do this, we will have to contract out for additional help.

Chairman McGary stated that we could predict some average, saying if the revenue increase was \$400,000+, \$100,000 could be dedicated to cleaning. He asked for a show of hands if we should move forward on this. It was unanimous to go forward.

There was a young man in the audience who represented teens and youth who were interested in what we see in our City. He stated that he was present at a Parks and Recreation meeting six months ago and wanted to invite the Council to come to their event “Swagfest” next Saturday.

The meeting adjourned at 4:10 p.m.