



CITY OF  
**FAYETTEVILLE**  
**ARKANSAS**

100 W. Rock St, Suite 246  
Fayetteville, AR 72701

**Fayetteville Arts Council Agenda**

**Rock St. Meeting Room / Virtual Meeting Via Zoom**  
**Wednesday, August 20, 2025**  
**6:00 PM**

**Members**

**City Council Member Robert "Bob" Stafford**  
**Resident Rep. Chair Chloe Bell (Exp: 06/28)**  
**Working Artist Rep. Vice Chair Emily Miller (Exp: 06/27)**  
**Resident Rep. Jessica DeBari (Exp: 06/27)**  
**Working Artist Rep. Na'Tosha De'Von (Exp: 06/28)**  
**Resident Rep. Diana Rubi Galindo (Exp: 06/28)**  
**Working Artist Rep. Abigail Hill (Exp: 06/26)**  
**Working Artist Rep. Elizabeth Muscari (Exp: 06/28)**  
**Resident Rep. Ellen Woodson (Exp: 06/26)**

**City Staff**

**Arts and Culture Director - Joanna Sheehan Bell**  
**Arts and Culture Program Assistant - Sarah Dilatush**  
**Parks, Natural Resources & Cultural Affairs Director - Alison Jumper**

**Roll Call**

**Zoom Information**

**Webinar ID:** 821 9550 9513

**Registration Link:** [https://fayetteville-ar.zoom.us/webinar/register/WN\\_iPPUCr-LRY2luwgcSRq3g#/registration](https://fayetteville-ar.zoom.us/webinar/register/WN_iPPUCr-LRY2luwgcSRq3g#/registration)

**Call to Order**

**Approval of Agenda**

**Approval of July 16 Minutes**

**Unfinished Business**

**ArtsSpace Update**

— Ellen Woodson

**Public Art Policies Review and Discussion**

— Jessica DeBari and Ellen Woodson

**New Business**

**Review Art Donation Proposal— *Brandon Karn***

This is a proposal to donate a large Eugene Sargeant sculpture for display on the Town Center Plaza, next to Jammin' Java.

**Subject:** A large Terrier dog with a "Rangers Pantry" Tag, see attached pdf for artwork photos.

**Dimensions:** Approximately 10 feet tall

**Value:** \$7500

**Proposed Location:** Planter area next to Jammin' Java.



**A discussion on whether the Arts Council wishes to issue a letter of support to the A&P commission to advocate for a continued cultural use of the Walker Stone House.**

The A&P commission will consider the future use of the Walker Stone House at their next meeting. The Fayetteville Arts Council will consider whether to advocate for further cultural use of that property.

**Reports and Presentations**

**2025 Arts and Culture Work Plan Updates**

— Joanna Bell

- City Hall Art Installation Update
- Weekend Starts
- YRCC Mural Installation
- Gulley Park Art Market Update
- Movies in Parks
- CAP program updates

**Leon Keer Murals**

— Bob Stafford

**Announcements/Notes from the Field/Opportunities/Current Calls for Artists**

**Adjournment**

**NOTICE TO MEMBERS OF THE AUDIENCE**



**Fayetteville Arts Council**

07/16/2025

6:00 pm

Rock Street Meeting Room

**Members:** City Council Member Robert Stafford; Arts Council Chair, Chloe Bell, Arts and Culture Citizen-at Large 06/30/25, Jessica DeBari Citizen-at-Large 06/30/24; Emily Miller, Working Artist 06/30/24; Abigail Hill, Ellen Woodson, Sarah Downing, Na'Tasha Devon, Diana Rubi, Elizabeth Mescari

**City Staff:** Staff Liaison, Joanna Sheehan Bell, Arts and Culture Director – Parks, Natural Resources and Cultural Affairs;

**Meeting Minutes**

**Call to Order and Roll Call and New Member Introduction (6:01)**

- The meeting was called to order by Chloe Bell. The new members of the Arts Council introduced themselves.
- Roll call was taken. Sarah Downing and Abigail Hill were absent.

**Approval of Meeting Agenda (6:01)**

- Bob Stafford motioned to add introduction for members to the agenda, seconded by Emily Miller.

**Approval June 18 Minutes (6:01)**

- The June 18 minutes were reviewed and unanimously approved following a motion by Chloe Bell.

**Unfinished Business (6:11)**

- Ellen Woodson informed the council that there are no current updates from ArtSpace to report on at this time.
- Jessica Debari reviewed the draft of the public art policy document to the council. The council will vote on document at next month's meeting after individual review.
  - This document focuses on how funds are to be spent involving public art with a formal policy for staff to follow.

**New Business (6:22)**

- Bob Stafford informed the council that there will not be a singular West Avenue Garage mural instead there will be two murals by artist, Leon Keer. One piece will go on the library and another on the Town center. Work will begin in August with an artist community talk by Leon Keer. Bob Stafford motioned to approve the switch to pieces seconded by Emily Miller, approved

**Reports and Presentations (6:29)**

- Joanna Bell updated the council on the progress of the City Hall Art Exhibit. Installation is underway with the second-floor portion fully installed. The 24 additional pieces to be placed in the mayor's conference room after inspection of the pieces.
- Weekend Starts on summer hiatus to return on August 15.
- Bryan Alexis mural piece to begin install soon. This process will last two weeks.
- Gulley Art Market is continuing to do well with 60 vendors so far and three remaining concerts.
- The first art market will be held with the concert on June 19 with 27 vendors.
- Movies in the Park: largest turnout at viewing of Shrek in Walker Park with 500 attendees. July 25 movie will be in Lewis Park showing National Treasure.
- The Dive-In at Wilson Park Pool will be viewing Minecraft movie this Friday (July 18)
- CAP: All funds exhausted with webpage to catalog the programs.

**Notes from the Field/Opportunities/Current Calls for Artists (6:47)**

- Restaurant week will be held in Fayetteville next week. The full list of participating restaurants on Experience Fayetteville's website.
- Last call for Sundays on the Square rock and roll yard sale
- Falltober fest vendor applications are active
- Submission deadline for Walton Arts Center Our Region Our Time in porter gallery
- Mt. Sequoyah hiring hospitality coordinators
- New Fenix exhibit at Mt. Sequoyah

**Other Business and Public Comment 6:49**

- No public was present, and the meeting adjourned 6:49

## Fayetteville Public Art Policies & Procedures

### OVERVIEW:

This document establishes Policies and Procedures to guide the City of Fayetteville's Public Art Program and to implement any future Public Art Plans.

### SECTION I: PUBLIC ART PROGRAM DEFINITIONS

**The following words, terms, and phrases, when used in this document, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:**

**Accession** means the steps taken to officially acquire and designate an artwork as a part of the City of Fayetteville's Public Art collection.

**Acquisition** means the inclusion of an artwork in the permanent collection of the City, according to the City's Public Art Policies, whether by commission, purchase, donation, or other means. Acquisitions are owned by the City.

**Art in Public Places** (see Public Art, below)

**Art on Loan** refers to any artwork that is not owned by the City but is on public display on City property in the City according to the terms of a loan agreement with the owner.

**Artist** refers to a person who creates art (such as painting, sculpture, music, or writing) using conscious skill and creative imagination.

**Artwork (or Work of Art)** means, but is not limited to, unique, one-of-a-kind artwork by an artist. This includes, but is not limited to, the following media and methods:

- Sculpture: 3-dimensional piece in the round, *bas* relief, mobile, fountain, kinetic, and/or electronic, in any approved material or combination of materials.
- Two-dimensional artwork: painting in all media, mixed media, collage, including portable and permanently affixed works including mosaic and murals.
- Printmaking and photography, original graphics.
- Environmental art: earthworks, land art, environmental and natural elements, installation-based artwork.
- Interactive art: art that engages a spectator or audience, (e.g. fountains, climbable elements, play elements, sound-based art, participatory art, playable structures or kinetic elements created by an artist.)
- Time-based media, film/video, digital art, web-based art, projections.
- Light-based art installations.
- Temporary art/Semi-permanent art that is available for a limited time.
- Performance-based art: dance, movement, theater, live music, puppetry, storytelling, acrobatic displays, fire breathers, stand-up comedy, opera, etc.
- Conceptual art and social practice events.
- Text-based artwork, including literary works, spoken word, and live poetry performances.
- Crafts: includes fiber arts, textiles, stained glass, metalwork, ceramic arts, and other crafts.
- Functional art and streetscape elements: benches, shade structures, bike racks, lighting, artist-designed landscape elements, retaining walls, etc. as designed by an artist.
- Architectural art: artist-designs incorporated into the building design, facade or structure (i.e. glass, terrazzo), or is attached to the exterior of a building, bridge, or other physical structure.
- Memorial art: art, sculpture, structure or artist-designed space created to preserve the memory

of a significant person, entity, or event that occurred or existed in the past.

**For the purposes of this policy, the following are not considered Artwork:**

- Donor bricks, plaques, trees, or standard mass-produced benches not designed and created by an artist.
- Educational plaques unless an integral part of a work of art designed by an artist.
- Directional elements, signage, and way-finding elements, unless designed by an artist as an integral part of the work of art.
- Artwork murals and/or signage that serves as an advertisement for a product, service, or business.
- Objects that are mass-produced in a standard design, such as playground equipment, park furniture, or fountains.
- Holiday and other decor unless designed by an artist.
- Non-original reproductions/copies of original works of art, except in cases of film, video, photography, printmaking, and sculpture editions.
- Public improvements for safety, such as area or path lighting, protective railings, etc., unless designed by an artist.
- Landscape design or gardens when used for decoration, unless designed by/with an artist, and are integral to the artwork.
- Decorative, ornamental, or functional architectural elements unless designed by an artist.
- Any other work or elements not designed by or in collaboration with an artist.

**Collection:** Artwork that has been acquired and approved through the City's acquisition process and is owned by the City. It refers to artwork that is placed in a public setting and accessible to the community, in storage, or undergoing repairs. Unless the artwork is a loaned work of art on display on a temporary basis, to remove a work of art from the City's collection, a deaccession process is required. It is the responsibility of the City to maintain, restore, and repair the art collection according to its Public Art Policies.

**Commission** refers to artwork created at the request of the City and/or the Fayetteville Arts Council in which the funds to design and produce the artwork are provided by the City (in part or entirely) and acquired through a process as outlined in the City's Public Art Policy.

**Conservation** means preservation, repair, and prevention of deterioration of public artworks and artifacts.

**Deaccession** is the process by which a work of art can be removed from the City's public art collection in accordance with the City's Public Art Policies.

**Donation** means artwork that has been given to and accepted by the Fayetteville Arts Council via the donated art policies on behalf of the City for inclusion in its art collection.

**Maintenance** is an ongoing approach to regular cleaning, treating, or repairing artwork that has been adversely affected by negligence, damage, or decay caused by the effects of time and human use on the materials of which they are made.

**Public Art** (or Art in Public Places) refers to any artwork acquired (in whole or in part) by public City funding and sited within a publicly accessible City-owned or leased area, on the exterior of any City-owned or leased facility, inside of any City-owned or leased facility, or on property that is not owned or leased by the City if financed whether wholly or in part with City funds or by grants procured by the City. Public art is artwork that has been donated or loaned to the City's Public Art program, as well as privately sponsored artwork that is sited on publicly owned land or a public work sited on private property and maintained by the City according to a legal agreement between the owner and the City of Fayetteville.

**Public Art Policy** means all policies and procedures, as approved by the Mayor, for the selection, placement, and presentation of artwork, the maintenance, repair, care, or removal of artwork and the commissioning, decommissioning, and payment for artwork.

**Public Art Plan** refers to a document that guides and defines the goals of the public art program and the use of public art funds.

**Public Art Project Account** refers to a special Public Art Project account established for capital expenditures, large repairs, and other approved expenditures related to public art for the City's collection. This account can roll over from year to year.

**Temporary Public Art** means works of art installed in public places for which it is the intention to display and maintain the artwork for a shortened period agreed upon between the artist and the City of Fayetteville.

## **SECTION II: GROUPS INVOLVED WITH GOVERNANCE/ ADMINISTRATION OF PUBLIC ART**

The following section defines the groups and responsibilities of those involved in administering the Public Art Program.

### **City of Fayetteville Arts and Culture Division**

The City of Fayetteville's Arts and Culture Division, within the Parks, Natural Resources and Cultural Affairs Department shall oversee and administer the Public Art Program in accordance with the provisions of these policies. The Arts and Culture Division's duties shall include oversight and coordination of the Public Art Program, administration of the program's budget, designation and hiring of staff to administer the Public Art Program, including guidance and oversight of the selection, acquisition, purchase, commissioning, placement, installation, maintenance, and deaccessioning of all artwork acquired by the City of Fayetteville that is defined as Public Art in Section I.

Designated staff in the Arts and Culture Division shall serve as staff liaison for the Fayetteville Arts Council (see below) and as the source of public information regarding the Public Art Program as required. They will also serve as a liaison for the community, private developers and other external partners (BIDs, neighborhood organizations, special districts, etc.) who are considering procurement of public art on City-owned property or through City incentive programs.

City Arts and Culture Division Staff may adjust or augment these Policies and Procedures as needed or requested for clarification or to ensure utilization of current best practices within the Public Art Program.

### **Fayetteville Arts Council (Fayetteville Arts Council)**

The Fayetteville Arts Council was created by the city council in 2007 in the City of Fayetteville Municipal Code Chapter 33 Article XXII.

### **SECTION III: Art Procurement**

Any purchases or commissions for artwork shall adhere to City Purchasing policies.

#### **Public Art purchases valued at \$40,000 and above**

Art will be solicited via a transparent public process outlined with the city's purchasing division and City Council shall review and approve contracts valued at more than \$40,000, while Fayetteville Arts Council will approve final art associated with those contracts and staff will deem the contract work completed.

#### **Public Art purchases valued at \$39,999 and below**

Staff will coordinate a transparent public process adherent to purchasing guidelines where finalized art for public display will be reviewed by Fayetteville Arts Council. Depending on the value and nature of the artwork the art solicitation process will vary, but will always pass through staff and Fayetteville Arts Council.

### **Public Art Selection Panels**

The Fayetteville Arts Council, in coordination with City staff, may establish separate Public Art Selection Panels for each new public art commission it undertakes. Public Art Selection Panels enable the City to engage volunteer community members (outside of the Fayetteville Arts Council) who may possess specific knowledge or expertise and/or interest in a particular project or commission. The Fayetteville Arts Council, along with Arts and Culture Division staff, shall determine the composition and selection criteria for each selection panel at a Fayetteville Arts Council meeting.

### **Selection Panels shall ideally be made up of at least five people. The recommended selection panel makeup is the following:**

At least one professional artist or arts professional which may include an artist, art historian, museum, curator, or arts administrator or coordinator;

- At least one community member interested in the project or someone who either lives or works near the proposed site for the artwork (that may or may not be involved with the arts);
- At least one Fayetteville Arts Council member;
- City of Fayetteville department staff or leadership as needed for their knowledge of the project area, neighborhood, etc.; and
- Additional panelists may be chosen for the selection panel as deemed appropriate including members of the community in which the art will be sited, subject matter experts, designers or architects for the project, or other site representatives.
- Non-voting advisors and consultants may be added as needed.
- City representatives and Arts and Culture Division staff shall be considered non-voting members of all selection panels.

Each Public Art Selection Panel will be specific to a particular site or project for the Public Art Program. The group is charged with discussion and determination of the public art parameters, consideration of appropriate public art locations and public art opportunities for the site. The group shall establish consensus to determine artist criteria, selection methods and other information needed for the solicitation of artists for the commission (see Section xxx). Other activities of the Selection Panel shall include, but are not limited, to the review of artist applications and proposals, conducting interviews, and other activities needed for the selection of artists for each commission. A record of the selection process will be recorded by staff or a member of the panel for future reference.

### **Conflict of Interest**

It is expected that members of the Fayetteville Arts Council, Arts and Cultural Staff and Liaisons, Selection Panels, members of subcommittees, or any other ad hoc groups or individuals working with the Public Art Program may be aware of the work of some artists and arts organizations who submit their work for consideration for public art projects. Such awareness alone does not constitute a conflict of interest, nor does owning a piece of work by a submitting artist. A conflict of interest is deemed to exist if a member/panelist is related to an artist, either through family, marriage, or domestic partnership, or any other relationship of economic interdependence, a business relationship such as representing the work of an artist as a gallery owner, or if a member stands to gain direct benefit, whether financial or otherwise, from the selection of an artist. If a member is affiliated with an artist under consideration in any of the ways mentioned above, they shall state that they have a conflict of interest, and the committee will vote on whether a conflict exists and whether that member shall recuse themselves from voting or further discussion on the project in question.

### **Art Solicitation Methods**

Solicitations will occur through a fair and transparent process, as determined by the Fayetteville Arts Council and Public Art Selection Panels.

### **Artwork may be acquired by a variety of methods:**

- **Open Competition via Request for Proposal (RFP) or Qualifications (RFQ)**

The Fayetteville Arts Council Selection Panel may use an “Open-Call” or “Request for Proposal/Qualifications” open to all artists. A RFQ is sent to artist lists, media lists, and art organizations to publicize the competition/project, requirements, schedule, and budget. All interested and qualified artists may submit their qualifications (usually images of past work, biography, artist statement, etc.) for consideration. Artists may be selected for a commission based on qualifications only. One artist may be selected based on their qualifications, or one or more artists may be selected to move on to a proposal or interview phase. Artists are paid an honorarium to cover the cost of a proposal and/or travel to the site. Artists may be selected for commission based on their proposal or interview. If no proposal or artist is deemed suitable, the project can be suspended or re-called using any selection method. Depending on the value of the proposed art work, records of the selection process are filed via the purchasing division, or via staff.

- **Limited Competition via Request for Qualifications or Invitational**

The Fayetteville Arts Council or Selection Panel may decide that a certain set of criteria is

needed for a call to artists (e.g. Fayetteville or Arkansas artists only, muralists, etc.). A select number of artists are either directly invited to submit qualifications or an RFQ is issued with the stated selection criteria.

Only artists invited or artists that fit the established criteria shall be considered eligible for the competition. One artist may be selected based on their qualifications, or one or more artists may be selected to move on to a proposal phase or interview phase. Artists are paid an honorarium to cover the cost of their proposal and/or travel to the site. Artists may be selected for commission based on their proposal or interview. If no proposal or artist is deemed suitable, the project can be suspended or re-called using any selection method. Records of the selection process are reviewed and certified in a public meeting of the Fayetteville Arts Council.

- **Direct Purchase (with or without competition)**

Direct purchases are feasible but subject to the standard policies and procedures established by the City's Procurement Services department.

- **Request for Proposals**

Although best practices dictate that artists should be paid to develop an artwork proposal for consideration, there may be special circumstances when the Fayetteville Arts Council issues a Request for Proposals (RFP) or a Request for Information (ROI) without paying a fee.

- **Unsolicited Acquisition via Donation (solicited or unsolicited)**

Donations of artwork to the City of Fayetteville are feasible but subject to the policies and procedures established below (see Permanent Donation Policies and Procedures).

- **Artists Roster**

The Public Art Program may develop an artist roster (and other arts professionals) to help facilitate art projects that may be small in scale or budget, are on private property, require specific skills or materials, or have a tight timeline that makes an open call not feasible. This would be a standing roster of local, national, or international candidates that are pre-qualified through an open Request for Qualifications. The roster can be renewed on an on-going basis, generally biennially, through an open Request for Qualifications.

## **SECTION IV: FUNDING AND CONTRACTING FOR PUBLIC ART**

### **Public Art Funding**

All public art funding shall be determined and set aside for use in Public Art Programming at the discretion of the City Council through budgeting procedures.

#### **Designated Account for Public Art Funds**

Dedicated public art funds shall be placed in the Public Art Project Account that can roll over from year to year, as many projects can be multi-year projects or phased. This is recommended so that the artwork can be distributed around the city and not have to be attached or adjacent to the project that generated the funds. There may be cases where integrated art is desirable, but best practice is to always maintain the capability and flexibility to move the funding for a project elsewhere or use part of it at the site and the rest somewhere else.

#### **Mixed Funding**

The Public Art Program may combine any of the funding sources from the Public Art Account

with donated or granted funds from various outside sources for the acquisition, fabrication, or installation of artwork. The combined donated funds shall be used according to donor or grantor designation or, if undesignated, at the discretion of the City.

### **Limited Use of Funds**

The Public Art Project Account shall be used to commission (including contingency funding), acquire, prepare and develop sites, engineer, install, and maintain/repair any of the types of “public art” as defined above as well as structural elements related to the artwork, events and promotion related to the artwork or the program, and shall not be used for any of the items listed in “not considered art” above.

### **Contracts & License Agreements**

Following the final selection of an artwork or artist, regardless of funding source or acquisition method, a written contract or license agreement shall be prepared and authorized by the appropriate City staff and reviewed by the Fayetteville City Attorney or designee. Each contract will be drafted on a case-by-case basis, but usually will outline the following items:

- Project scope and deliverables;
- Description of artwork to be acquired;
- Insurance requirements for all parties;
- Contract amount and payment schedule;
- Project milestones;
- Artists’ rights, including copyright;
- City of Fayetteville’s rights vis-à-vis the artwork;
- Warranties and maintenance/restoration agreements;
- Provisions for making changes to the contract or contract amount;
- Provisions for cancellation of the contract by any party; and
- Other legal requirements as requested by the City's Attorney.

### **Collection Insurance**

The City’s Arts and Culture Division will maintain a Public Art Inventory database. Once a new piece of art has been acquired, it will be added to the Public Art Inventory database. Information to be added includes the Title, Artist’s Name, Medium, Location (including GIS coordinates), Acquisition Date, Acquisition Price, and Replacement Cost. This information will then be forwarded regularly to the City’s Risk Management team, to add the artwork to the City’s insurance coverage (if not already covered by the City’s umbrella policy).

## **SECTION V: PUBLIC ART SITE SELECTION**

### **Location and Site Prioritization**

The Fayetteville Arts Council and Arts and Culture Division staff, in accordance with the City’s Arts and Culture Plan and any future Public Art Plans, shall identify potential sites for public art installation and integration. Input should also be sought from appropriate City Departments and Divisions and other community advisors. Arts and Culture Division staff shall create and periodically update a list of prioritized sites within the city of Fayetteville for consideration for the public art program. This

prioritized list of sites will serve as a guide for installation of art for a specific term or budget amount.

Other criteria and guidelines to consider for the priority site list includes:

- Upcoming capital improvement projects
- Areas that are under development or redevelopment
- Areas being impacted by transportation or other infrastructure projects (including grant-funded projects)
- Areas in Fayetteville that are lacking in public art
- Priority areas for economic development or placemaking
- Priority projects as determined by other criteria

### **Site Criteria**

To ensure public art is safe, accessible, and properly sited, the Public Art Program shall also evaluate sites according to, but not limited to, the criteria below to guide the placement of art projects. City Staff from related Departments will provide support, professional expertise, and advice as needed.

### **Criteria shall include:**

- Overall budget and staff capacity;
- Levels of complexity involved and interdepartmental cooperation needed;
- External constituents and partnerships required;
- Equitable distribution of public art throughout the community;
- Compatibility of the design, scale and location with the character of the site;
- Relationship of proposed artwork to existing artworks in the vicinity;
- Accessibility to the general public, with particular attention paid to Americans with Disabilities Act (ADA);
- Visibility and free access for the public at least during normal building or park operating hours, where relevant;
- Vehicular, bicycle and pedestrian access, visibility and traffic patterns, including ingress/egress;
- Public safety;
- Environmental impacts;
- Impacts on adjacent property owners;
- Sightline obstruction and traffic impacts/distractions;
- Maintenance requirements created by the installation, such as landscaping, lighting, underground utilities and accessibility for maintenance;
- Ease of site access for public art maintenance
- Future development of the site; and
- Any other criteria deemed by the Arts and Culture Division Staff, Fayetteville Arts Council or the City to be important.

### **Site and Project Approval**

Approval for public art sites and projects (donated or commissioned) will be coordinated with relevant City boards, commissions, departments, or divisions—such as the Parks, Natural Resources and Cultural Affairs Advisory Board, Active Transportation, Facilities, etc.—when the proposed location is under their management. Arts and Culture staff will develop and communicate appropriate approval processes to the Fayetteville Arts Council as needed.

## **SECTION VI: ART ACQUISITION METHODS AND GUIDELINES FOR PERMANENT COMMISSIONS.**

### **Acquisition Policies**

All public art shall be commissioned through a fair and transparent process. The Public Art Program may revise or adopt new policies and procedures at any time to guide the process.

### **Public Art Planning and Acquisition Criteria**

The City of Fayetteville seeks to build a robust permanent public art collection to help fulfill its vision of making Fayetteville a memorable and vibrant cultural destination. As the permanent artwork selected for the public art collection will be appreciated by the community now and for generations to come, the City may develop periodic Public Art Plans to guide acquisitions, collection maintenance and other program elements. These plans can be done yearly, every five years, and/or produced as longer-range plans with a longer planning window.

Generally, the following criteria shall be used when selecting artwork for the public art collection. The Fayetteville Arts Council may revise or increase the criteria for specific projects or update these criteria in the future as needed.

### **Artwork selected for the Fayetteville Public Art Collection shall:**

- Demonstrate the highest quality.
- Contribute to Fayetteville's distinct identity and reputation as a cultural hub.
- Reflect Fayetteville's unique character, diversity, heritage, culture, and natural environment.
- Be a unique and original work of art and not a duplicate of themes or styles already represented in the collection or collections in nearby communities, unless it is done purposefully and with intention.
- Diversify the collection in terms of artists, perspectives, materials/media, scale, and sites.
- Be selected through a fair and transparent process.
- Be complete, in good physical condition, of excellent workmanship, and able to withstand the environment in which it is to be placed (unless considered temporary work). The collection should not require excessive, expensive, or continual maintenance or repairs.
- Be of a size, scale, and theme that is compatible with an available, suitable public site in Fayetteville.
- Not present a danger or safety concerns to the public or those working with the artwork.
- Be accessible to the general public.

## **SECTION VII: POLICIES AND PROCEDURES FOR DONATED OR TEMPORARY ARTWORK**

### **Permanent Donation Policies and Procedures**

The City of Fayetteville seeks to acquire works of art that will further the objectives of the Public

Art Program. Many gifts are offered to the City for inclusion in the public art collection; however, not all gifts offered can be accepted.

All proposed donations of artwork, memorials, and other unsolicited art items to be sited on City property must be approved by the Fayetteville Arts Council (subject to Section V Site Selection requirements). Following the donation procedures below does not guarantee that a piece will be accepted. Any donated artwork accepted by the City becomes part of the permanent collection and is subject to standard deaccession policy (see Section VIII). Donation requests may be reviewed annually or at another regular interval, as determined by the Fayetteville Arts Council.

Proposals to donate works of art to the City of Fayetteville must be submitted to the Fayetteville Arts Council through a Donation Application. A Donation Application may contain the following:

- A cover letter explaining what the artwork is and that it is offered to the City as a gift and the donor has the authority to transfer ownership to the City, and a short explanation as to why the work should be added to the City's collection.
- Program Alignment: A statement indicating how the donation contributes to Fayetteville's Arts and Culture or Public Art Program goals, selection criteria, mission, and vision.
- For memorial donations: Memorial proposals honoring individuals or events will be considered if they are of broad community interest or marks an event that has affected the community. The memorial must have timeless qualities and should represent the values of the community and future generations.
- Artwork and Artist Information: A statement describing the physical attributes of the artwork/proposed artwork and biographical information on the artist. The donor may be required to submit a report from a conservator or the artist confirming the good condition of the artwork. If available, maquettes, models, images, or the actual work will be reviewed to show the condition and proper scale of the work.
- Provenance: If the artwork is pre-existing, provide proof of the artwork's ownership history, conservation history, exhibition history, a letter of authenticity, and documentation of donor's ownership and/or authority to transfer of ownership;
- Value: A current estimate of value (provided by the donor or outside appraiser).
- Maintenance Recommendations: All pending donations shall be required to include maintenance recommendations and associated costs; most donations will require a financial donation for the future maintenance of the piece. Complex or large memorials that require significant and costly maintenance may require insurance, a bond or an endowment fund, and a maintenance schedule by the donor to ensure the project's condition is satisfactory to the City, as well as the donor. The posted insurance or bond should cover costs of installation and/or removal.
- Site: All proposed donations of public art, monuments or memorials must include at least three (3) feasible sites for their project along with an explanation of the significance and relationship to each site. Providing site suggestions in no way obligates the City to locate a donation on that site. The Fayetteville Arts Council will follow the site criteria in Section IV of this policy in finalizing a site.
- Community Feedback: The Donor may be asked to gather and submit community feedback about the proposed donation and site. If a site is proposed, the community feedback must represent the views of residents adjacent to the site or other stakeholders affiliated with the site. Depending on the nature of the project, further public engagement may be required according to the specific requirements for a permit application or development review.
- Budget and Funding Strategy: All associated costs of the project including, but not limited to, cost of design, fabrication, plaques, transportation, installation, site preparation work, foundation, lighting, electrical, insurance and permits must be financed by the requesting party. Proposal will

- provide a plan for funding these elements as well as cover future maintenance of the work.
- Additional information as requested.

Once all materials have been submitted, Arts and Culture division staff (and other department representatives as needed) will schedule an internal feasibility review and a consultation with the applicant. Proposed donations that are substantial or significant in size or scope may be referred directly to the Fayetteville Arts Council for their approval of the project's initial concepts before embarking on further costly planning and study. Applicants may be required to modify their proposal and provide additional information at any time during the approval process.

Fayetteville Arts Council will review all donated art valued at \$5,000 or greater to accept or deny the donation. Staff will then formally accept the work into the public art collection.

Donated artwork valued at less than \$5,000 will be reviewed and accepted or denied by staff with Fayetteville Arts Council receiving regular collection reports of donated pieces in the public art collection.

The Fayetteville Arts Council and the Fayetteville City Council will reject display works of art that are obscene (as defined by A.C.A. § 5-68-302 et seq.) or violate other local, state or federal laws.

Fayetteville Arts Council's recommendation to reject the proposal is final unless the City Council requests a review.

Once approved, the donor will enter into an agreement with the City of Fayetteville according to contracting policies. (See Contracts & License Agreements above)

### **Temporary Loan Policies and Procedures**

To increase the variety and artistic quality of public art for the community, the City of Fayetteville will occasionally display art loaned to the City by artists, institutions, or organizations. This allows for rotating exhibitions of artwork and assures that the art displayed within the City remains fresh. To ensure the quality of the works displayed, the City designates the Fayetteville Arts Council as the entity to review such loans. The Fayetteville Arts Council shall use the following guidelines to decide whether a proposed loan is appropriate, the duration of the loan, and where it should be located.

**Solicitation of Loaned Artwork:** The Fayetteville Arts Council may solicit artwork (using selection methods similar to Art Acquisition Methods in Section VI above) for loans or engage in temporary loan programs

**Unsolicited Loans of Artwork** individuals or entities interested in loaning artwork follow the steps in the Permanent Donation section above. In addition to the items listed on the Donation Application, the lender must indicate that the loan is offered on a temporary basis, the duration of the loan, and any other terms for the loan. Other items may be requested including:

- Precise terms of loan offer (terms, cost, siting, duration, etc.);
- Details on installation and de-installation;
- Terms for any required maintenance during the term of the loan;
- Terms of repair agreement if the artwork is damaged during the loan term; and
- Insurance requirements.
- No permanent loans will be accepted.

### **Special Temporary Artwork, Exhibitions & Murals**

“Special Temporary artwork” is defined separately from temporary loaned artwork above. Temporary artwork is proposed for a site as a semi-permanent work that will be destroyed, weathered away, or removed after a period of time. Examples of temporary artwork include environmental works of art, installations, event-based artwork, or murals.

- Temporary Art Acquisition: Acquiring Temporary Art shall follow the appropriate acquisition method outlined in Section VI.
- Fayetteville Arts Council and Staff Approval: All temporary works of art will be reviewed by the Fayetteville Arts Council in consultation with appropriate City departments. Their recommendations will be considered before approval by the Fayetteville Arts Council.
- Temporary Art Agreements: A Temporary Art Agreement outlining the terms of the temporary exhibition, installation, or mural shall be created. Information that must be included:
  - Expected short-term maintenance costs and procedures;
  - Expected term or lifespan of art installation;
  - Value of artwork (for insurance purposes);
  - Proposed site;
  - Proposed disposal of the artwork (if applicable) or deaccession procedure and disposition; and
  - Insurance & Maintenance: The City of Fayetteville shall maintain appropriate insurance for the work of art for the duration of the temporary display period. The City shall maintain and conserve the loaned artwork during its term of installation or according to the Temporary Art Agreement.

## **SECTION VII: SAFETY AND MAINTENANCE**

### **Public Art Safety Considerations**

Maintaining a safe, welcoming environment for the city and its visitors is key when considering public art. All art accepted into the City’s public art collection is evaluated regularly to ensure it is not damaged or does not become a safety hazard. The City of Fayetteville through the Arts and Culture Division and Fayetteville Arts Council should endeavor to follow safety precautions provided by the City’s risk management policies and operating procedures when considering acquiring art and its placement. When an artist is commissioned to create artwork for inclusion in the collection, the artist may be requested to have all elements of the finished artwork reviewed and approved by a structural engineer licensed to work in Arkansas. All artwork on display in the collection should be constructed with consideration given to public safety and the durability of the artwork.

- **Review**

Arts and Culture Division Staff, City staff (as needed), and Fayetteville Arts Council members shall be responsible for reviewing and evaluating the safety and stability of each art piece before it is acquired for the collection. Staff shall recommend approval of the acquisition only if the installation does not pose any foreseeable physical hazards, is not easily damaged, and has been reviewed and approved by a licensed engineer.

The Arts and Culture Division Staff in conjunction with City Staff shall also consider the placement

of the artwork for safety and assurance that placement near paths does not obstruct traffic lines of sight, risk being struck by traffic, or block City services.

#### Removal & Repair of Damaged or Unsafe Art

Once art is on display, it will be reviewed regularly by Arts and Culture Division Staff or their designee for damage or deterioration. If a piece is damaged and/or declared a safety hazard, it will be repaired or removed immediately by City Staff.

### **Public Art Maintenance and Repair**

The works of art in the collection are assets of the City of Fayetteville. As such, it is the responsibility of the City to maintain the collection of publicly-owned artwork to ensure the long-term value of these assets and that the collection can be enjoyed for generations to come. The following section outlines the documentation, preservation, and maintenance processes that will support this goal. The Public Art Program will not maintain artwork outside of its collection without prior legal agreement between the City and the owner of the artwork.

#### ● **Documentation of Collection**

Moving forward, each work of art in the collection shall be properly and regularly documented with the following:

- Artwork information – title, artist, year of commission, materials, location of artwork (including GIS location coordinates);
- Photo of artwork in its current location;
- Periodic condition reports;
- Records and photos of actual maintenance performed and an assessment of those efforts;
- Artist's maintenance recommendations, methods and materials information, potential problems with the work, finishes information (e.g., painter's name; when, where, what, and how the piece was finished), quality of materials used, installation information, warranties, professional and/or other knowledgeable opinions regarding preservation and maintenance;
- Artist's resume, artwork history, estimated value, purchase amount/replacement cost, where the work has been exhibited, and any transcriptions or recordings of personal interviews with the artist;
- Each artwork will be accounted for on the Public Art Master Inventory list;
- Risk Management will be notified of new public art acquisitions so it can be added to the City's insurance policy.

#### ● **Artist Involvement**

Installation, maintenance, alteration, refinishing, and moving of artwork shall be done in consultation with the artist whenever feasible. So far as practical, if repair of any artwork is required, the City shall give the artist the opportunity to perform such repair work for a reasonable fee. If the artist refuses to make the repair for such a fee, the City may proceed to solicit bids in accordance with the City's competitive bidding procedures.

#### ● **Emergency Maintenance or Repairs**

When emergency repairs are necessary to prevent the loss of or further damage to the artwork or assure public safety, such repairs may be approved by the Arts and Cultural Director. Every effort shall be made to contact the artist for emergency repairs. Repairs shall not be deemed to constitute an artistic alteration. If a work of art has been deemed unsafe to the public, it shall be removed from its site and stored until repairs can be made or considered for deaccession.

Inspection and Condition Reports

The Arts and Culture Division Staff will conduct regular condition reports and periodic conservation/preservation assessments of the public art collection. This reporting will be used in creating maintenance plans and appropriating funding. Paid professional condition appraisers/conservators and/or knowledgeable volunteers, art professionals, or industry experts may perform the inspection for each piece. An inspection and/or condition report for each piece will become part of the permanent documentation of the specific piece and will reside with the Public Art Program.

- **Maintenance Plan**

Based on the inspection and condition reports, conservator recommendations, and/or the artist maintenance recommendations, a maintenance plan will be developed and updated periodically to schedule, budget, and perform cleaning, repair, and other required maintenance to preserve each piece in the public collection. This plan is initiated and coordinated by the Arts and Culture Division Staff.

**A maintenance plan can include the following elements:**

- Materials, fabrication methods, and other recommendations needed to maintain or repair the artwork;
- Installation specifications and engineering documentation;
- Method and frequency of required maintenance; and
- Additional contacts or information for maintenance issues, as needed.

- **Funding for Maintenance**

Costs for repair and maintenance of artwork in the City's collection shall be funded from the Public Art account or the Arts and Culture Division accounts, depending on the total cost.

**Emergency Relocation and Removal of Art**

No public art shall be permanently removed, altered, or changed without the review and approval of the Fayetteville Arts Council except that review and approval of the Fayetteville Arts Council shall not be required for temporary removal of public art by City personnel as approved by the Arts and Culture Director for maintenance or repair, or for temporary or permanent removal of public art that, in the sole discretion of the Arts and Culture Director, poses a public health or safety hazard.

**SECTION VIII: DEACCESSION AND RELOCATION POLICIES**

Occasionally, public art needs to be refreshed, moved, and/or removed from the collection. Deaccessioning is a procedure for withdrawing a work of art from the City of Fayetteville's permanent public art collection. Deaccession requests can come from anyone in the community. All artwork in the collection will be considered permanent parts of the collection unless these artworks were created as temporary, semi-permanent art or the art is on loan. Works of art may be considered for removal from the collection with a majority vote of the Fayetteville Arts Council. No public artwork shall be removed, re-sited, or altered by any other City department, public or private entity, or individual without the prior review and approval of the Arts and Culture Director, with inputs from the Fayetteville Arts Council.

**Criteria for Deaccession**

**The Fayetteville Arts Council may consider deaccession of artwork for any one or more of the following reasons:**

- The art has been damaged or deteriorated beyond the point where repair is practical or

- feasible or has outlived the useful life of the work as defined in the commission contract.
- The artwork requires excessive maintenance or has faults of design, material, or workmanship, and repair or remedy is impractical or unfeasible.
  - Significant changes in the use, character, or design of the site have occurred, which affect the integrity of the work.
  - The artwork endangers public safety, whether structurally or in its current condition/location; and an alternate site is not currently suitable or available, and/or it is cost-prohibitive to properly restore or relocate the artwork.
  - The condition and security of the artwork cannot be reasonably guaranteed.
  - The piece was stolen from its location and cannot be retrieved.
  - The artist legally exercises the right of disassociation granted by VARA, preventing the use of his/her/their name as the creator of the public art.
  - The artist requests the removal from the collection.
  - The artwork is incompatible with the rest of the collection or is not aligned with the current Public Art Policies or Goals.
  - The artwork is a memorial or monument that is out-of-date or has lost significance to the community.
  - The artwork is fraudulent or not authentic.
  - The City or Fayetteville Arts Council wishes to replace the artwork with a piece of more significance.
  - The artwork is an environmental hazard or is causing damage to the site or location.
  - The artwork is a maquette/scale model or other item for which there is no longer storage.
  - An emergency necessitates deaccessioning the artwork.
  - The artwork has caused significant adverse public reactions towards artwork and has continued unabated over an extended period of time (five years).
  - For any other significant reason articulated by the Fayetteville Arts Council, at its discretion. Under these circumstances, the recommendation to deaccession a piece should be reviewed by the Fayetteville Arts Council and/or City Council or Mayor.

### **Artist Involvement**

The Fayetteville Arts Council and Public Art Staff will make reasonable effort to involve the artist (or artist's estate) in the decision to deaccession a work of art and in some cases, the Fayetteville Arts Council may require formal permission of the artist before considering removal from the collection. Before deaccessioning any artwork, the City shall comply with all terms and conditions relating to deaccession which are found in the acquisition contract or any other agreement which may exist between the artist and the City of Fayetteville.

### **Deaccession Request**

A deaccessioning process must take place during a regular Fayetteville Arts Council meeting. During this meeting, a deaccession request will be considered. The deaccession request shall contain the following information:

- The reason for deaccession.
- The estimated current value of the artwork.
- The acquisition method and cost, including a summary of any terms of the gift agreement, will, contract, or other relevant document(s) relating to the deaccessioning.
- Details of the artist's (or artist's estate) involvement and/or approval.

- For artwork acquired as a gift/donation, a statement that the donor has been notified or an explanation of why that was not possible.
- If needed, a written evaluation from disinterested and qualified professionals, such as an engineer, conservator, architect, safety expert, or art historian may be considered.
- Photographs that depict the current condition of the artwork.
- Artist's contract or any other relevant agreement concerning the artist's rights.
- When deemed necessary, written recommendations of other concerned parties, including Fayetteville community members, the artist, or an outside party.
- Estimated timeframe and cost to deinstalling the artwork and identification of the funding source for deaccessioning.
- Review by the City attorney outlining any legal issues related to the request (as needed).
- Means of disposal or disposition of the artwork.
- If artwork is to be sold or auctioned, any proceeds should be deposited in the Public Art Account.

### **Public Input and Deaccession**

The Arts and Culture Division Staff shall also submit the deaccession report to City departments so that they may provide any feedback on the deaccession. This deaccession report will be made public as part of the Fayetteville Arts Council agenda materials posted prior to the official meeting where a deaccession vote will occur.

- The public shall be encouraged to attend and comment on the deaccession. Written correspondence concerning the artwork can also be submitted for consideration by the Fayetteville Arts Council.
- Discussion of the recommendation with the artist if he/she/they can be notified by reasonable means.

After public input, the Fayetteville Arts Council, by a majority vote of its members will have the final decision on the deaccession of the artwork and removal from the collection. If a decision is controversial the recommendation Fayetteville Arts Council may be appealed to City Council and they may vote to : a) accept the recommendations; b) reject the recommendations; or c) delay the decision and request more information.

### **Disposition/Removal from the Collection**

Upon approval of the deaccession, the artwork will be removed and relocated to its final disposition. Any agreements between the artist and the City regarding removal or resale will be honored. To the extent removal is not addressed by a contract, the City may choose to use any of the following methods to remove public art that was deaccessioned, in accordance with City policy:

- Return of the artwork to the artist, including all ownership of the material and copyright of the artwork. This method is preferred, and the artist shall have the first right to refuse this offer. Other methods of removal from the collection, as described below, will be considered after notice of refusal by the artist is received or it has been determined the artist is unable to do so.
- Return to the donor.
- Gift the artwork to another cultural, scientific, educational or government institution or a

non-profit organization wherein the artwork may serve the purpose for which it was originally acquired by the City.

- Trade or exchange the artwork through an artist, gallery, museum, or other institutions for one or more other public artwork(s) of comparable value.
- Offer the artwork for sale through a public auction or public sale that will best protect the interest, objectives, and legal status of the City. Proceeds from such sales will be designated for the exclusive purpose of acquisition or preservation and conservation of the City's public art collection.
- Artwork will not be given or sold privately to present or former City of Fayetteville employees, Fayetteville Arts Council members, committee members, volunteers or current elected officials or to their representatives or immediate family members.
- Destruction or recycling of materials that the public art was constructed with should only be used as a last resort after considering all other possible methods, or if the artwork has been damaged or deteriorated to the point of not being useful for disposition in any of the above methods. Artwork that has been deemed harmful and presents a clear danger to human contact will be destroyed according to local laws.
- Any other option deemed appropriate by the Fayetteville Arts Council and City Staff.

# Fayetteville

ARKANSAS

## FAYETTEVILLE ARTS COUNCIL DONATED PUBLIC ART / MONUMENT / MEMORIAL REQUEST FORM

Name: Brandon Karn  
Address: 2383 Hummingbird  
City: Fayetteville State: AR Zip: 72703  
Phone - Home \_\_\_\_\_ Work/Cell 479-409-5158  
Email: brandon@jammin-java.com

### 1. Types of Donation

- Monument  Fountain  
 Sculpture  Other (Please specify below.)  
 Memorial

2. **Artist Description of Donated Art/Monument:** A written description of the background/historical information associated with any donated art item, including but not limited to, information about the creation of the item(s) and materials used. Additional information may be attached. (Models and/or pictures are to be attached or submitted with the proposal.)

Large sculpture of dog

If a plaque is requested in this project, please complete the following:

Plaque Exact Wording: \_\_\_\_\_  
\_\_\_\_\_

Size of Plaque: \_\_\_\_\_

Plaque Material: \_\_\_\_\_

3. Biography of artist(s): (To be attached.)

Eugene Sargent

4. Location for Donation: (Please prioritize.)

Priority 1

Site: Flower bed adjacent to Jammin Java

Specific Location: on the square  
(Please attach a map.)

Site Geographic Justification: \_\_\_\_\_  
\_\_\_\_\_

Priority 2

Site: \_\_\_\_\_

Specific Location: \_\_\_\_\_  
(Please attach a map.)

Site Geographic Justification: \_\_\_\_\_  
\_\_\_\_\_

Priority 3

Site: \_\_\_\_\_

Specific Location: \_\_\_\_\_  
(Please attach a map.)

Site Geographic Justification: \_\_\_\_\_  
\_\_\_\_\_

5. Project Budget

Site Preparation Required:

Cost: \_\_\_\_\_

Narrative:

Footprint of Dog  
Sculpture is 5' x 9'

Foundation:

Cost: \_\_\_\_\_

Narrative:

Sculpture should be  
a firm bed of gravel

Donated Art/Monument/Memorial:

Cost: \_\_\_\_\_

Electricity Required:

Cost: \_\_\_\_\_

Be specific: \_\_\_\_\_

Lighting Required:

Cost: \_\_\_\_\_

Be specific: \_\_\_\_\_

Maintenance/Endowment:

Cost: \_\_\_\_\_

Note: A maintenance plan must be attached. If an  
Endowment Fund is setup, please give proper justification  
for the funding required.

Other:

Be specific: \_\_\_\_\_

Cost: \_\_\_\_\_

Total Project Cost:

\$

6. Cost Exclusion: Please list any cost or part of the project that will not be provided by the artist / donor.

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7. Additional Employment Required by Artist: Please list additional party(s) hired or employed by artist to assist with work:

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8. Written explanation of legal issues, including but not limited to, identifying the current legal owner of the items, the existence of any copyrights, patents or other title rights in or to the item(s) - such as any interests to remain with the artist or designer of the item(s), and an explanation of any conditions or limitations on the donation of the item(s) and whether the City or donor will pay for such costs.

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9. The estimated value of each item, including appraisals of the item(s) if available:

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10. The anticipated date for the project to begin, construction schedule, and completion date: \_\_\_\_\_

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11. Environmental effects of the item(s): \_\_\_\_\_

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12. Anticipated life of the item(s): \_\_\_\_\_

13. Please attach public support for the proposed donation.

14. Please attach a warrant of originality (if applicable).

Please include any additional information or documentation you deem as necessary or appropriate for the Fayetteville Arts Council to evaluate the project. Failure to provide the information outlined above may result in the City's rejection of this proposal until all the requested information is provided.



Dear Commissioners,

On behalf of the Fayetteville Arts Council, we write to express our strong support for the continued use of the Walker Stone House as a space dedicated to the public good—specifically in support of community-based arts and cultural programming.

The Folk School of Fayetteville has exemplified what is possible when a historically significant structure is activated in service to culture, community, and creativity. The programming there filled a unique gap in our local arts ecosystem, offering accessible, intergenerational, and community-rooted opportunities for music education, performance, and connection.

As you consider the future of this site, we urge you to recognize the rare and critical role it plays in the cultural landscape. There are very few spaces in downtown Fayetteville that could offer additional space for community arts centered programming—and as the city grows, preserving spaces for that purpose is essential. Continued use of the Walker Stone House for such public-serving initiatives—whether under a Folk School banner or a new steward—would preserve the momentum built over the past several years and ensure that this civic asset remains an engine of creative community life.

Thank you for your ongoing commitment to supporting the arts in Fayetteville.

Sincerely,  
(whomever you all wish to send this)  
Fayetteville Arts Council

CC: Mayor Molly Rawn,