

CITY OF BLOOMINGTON  
1800 WEST OLD SHAKOPEE ROAD  
HENNEPIN COUNTY, MINNESOTA 55431

CITY COUNCIL MEETING

Approved Minutes  
Special Meeting  
Meeting #21A

6:00 p.m.  
June 7, 2004  
Haeg Conf. Rm.

- Call to Order Mayor Gene Winstead called the special meeting to order at 6:09 p.m.
- Roll Call Present: Mayor Winstead, Councilmembers S. Elkins (arr. at 6:36 p.m.), A. Grady, H. Harden, S. Peterson, and V. Wilcox (arr. at 6:35 p.m.).  
Absent: D. Abrams.
- Public Comment Period The Public Comment Period is not usually open during special/study meetings.
- Civic Plaza Art Item #1 Mayor Winstead explained that the issue regarding the exterior fly wall art was previously discussed by Council at their May 24 study meeting but was continued to this special meeting in order for staff to provide additional information in response to the issues raised by Council at that study meeting.
- Mark Bernhardson, City Manager recapped the Council's previous discussion regarding available resources, exterior fly wall art, and exterior/interior art. Regarding the budget, he stated that the original idea was to use a banner system on the exterior fly wall at an estimated cost of between \$30,000 - \$40,000 and that the amount is what consultant Jack Becker determined would be sufficient for the art on that space. However, staff learned from discussions with other cities/agencies regarding their experiences with public art projects that costs can be in the \$200,000 range. He summarized the options available to Council for their decision on whether to go with the current art project or a renewable art approach. It was stated that time is no longer a critical issue given the selected artist previously stated that he could design and build his art piece during the summer/fall months and delay installing it onto the exterior fly wall until the spring of 2005.
- Grady reported that after the last study meeting, she had conversations with several individuals with experience in the area of public art to get their professional opinion on the viability of installing a mosaic tile piece of art on the Bloomington Civic Plaza exterior fly wall. One resource, David Allen, a Public Art Coordinator, offered to let the City use his contract template for the contract the City will need to draft with the selected artist for Bloomington's project. Regarding putting mosaic tile on exterior buildings in Minnesota, he stated that it is very tricky to work with and suggested Grady contact other professionals in the field to determine if that medium is appropriate for the size and surface of the Civic Plaza exterior fly wall given Minnesota's climate. Information provided by the head of the Northern Clay Center indicates that tile is very tricky to work with in Minnesota, as the glaze can freeze and separate from the front and that the application process is very critical. Grady was then referred to Kristen Cheronis, an art conservator (a scientist with an art history background) who suggested the City consider hiring a consultant to oversee such a project. The City of Minneapolis hires Cheronis to conduct a feasibility/workability study for every public art project they consider doing. Cheronis concurred with others that tile can be done in Minnesota but that the proper installation of the tile is critical. She recommended Grady contact Marilyn Lindstrom, a key ceramic tile muralist in Minnesota, who indicated that a life expectancy for a mosaic tile mural with maintenance is approximately 15 years. Lindstrom concurred with the others that mosaic tile can be done but that it can be risky and that the City would need to do its due diligence in order to assure a successful project. It was stated that Lindstrom had applied for the City's art project but decided against the use of tile, as \$40,000 would not come close to covering her costs. If the budget for the project was adequately increased, she indicated that she would reconsider submitting a tile project.

Civic Plaza Art  
continued

Additional information provided by Grady included that the City's exterior fly wall mosaic tile project would be Gustavo's (the artist selected for the project) first landmark piece as an emerging artist. As painted murals can fade and the other projects submitted by other artists were not of interest to her, Grady stated that the tile might be the most appropriate medium for a permanent piece of art on that exterior space. However, she stated a new budget may need to be determined, as everyone agreed that \$40,000 was inadequate for that type of project and that if a permanent piece is what the Council desires for that space, it should decide if the rebidding should be reopened with a new budget.

Peterson stated that the City is really purchasing the design of an art piece and that the City is building it and will be responsible for the performance of the piece once it's installed. He concurred with the budgeting for a consultant on this project to ensure its success. He agreed with a statement previously made by Abrams that if this art piece were to fail in the future, it would undermine the public's confidence in the City's ability to do other things.

Harden reported that Gustavo's project submission bid at \$40,000 included the following: materials, labor, insurance, airfare for his colleague, and scaffolding but it did not include the following add-ons suggested by the architect: flashing, protection of the roof, consultant fee, and the architect's fee.

Winstead stated that if there is any possibility that tiles could pop off in the future, perhaps another medium should be considered. He suggested a renewable type of art system on the wall could take on the personality of the City at any given time (in a year, a decade, etc.), as times change. He doesn't want to have to worry about this art project in the future and believes another medium should be considered.

Wilcox suggested that yearly inspections would need to be done to ensure the performance of the piece, which would entail additional money for scaffolding, etc. He inquired as to what protection would the City have if the project turns out to be much more costly than initially estimated.

Clark Arneson, Planning Manager stated that the Civic Plaza architect Ankeny Kell suggested an annual budget of \$1,000 - \$2,000 for inspections and maintenance of a mosaic tile piece.

Dave Ornstein, City Attorney stated that as this would be a public project in excess of \$70,000, the artist would be required to have a bond.

Harden stated she doesn't like the idea of renewable art, as it's not a piece of art but pictures of art, which is not the same thing, and believes Council had previously decided to make an artistic statement with a piece of art on the fly wall and that the space is too prominent to be used as a billboard. Regarding the concerns expressed about a tile medium and the Minnesota climate, she stated that even the architect did not have concerns with the materials, including the adhesion materials in the grout. She doesn't believe there would be a problem with tiles popping off the wall, as the wall was built with expansion joints to handle that type of art. Regarding the artist's experience, she stated the Exterior Fly Wall Selection Committee was aware that Gustavo was an emerging artist and that his proposal indicated that he would be working with a lead artist and a staff of 3-5 assistants who have worked with the Visual Arts Research Project Workshop. She stated that although this project would be Gustavo's first artistic design, it would be handled by a team of experienced mosaic tile artists and that Gustavo purposely underbid this project for an opportunity to make his name with this piece.

Recessed Special  
Meeting

Mayor Winstead recessed this special meeting at 6:56 p.m. in order to begin the regularly scheduled meeting in the Council Chamber with the intention that the special meeting be continued in the Haeg Conference Room upon adjournment of the regular meeting.

Reconvened Special Meeting

Mayor Winstead reconvened the special meeting at 8:46 p.m. in the Haeg Conference Room.

Civic Plaza Art continued

Harden continued by stating that the Committee was aware that Gustavo had five years of experience in the area of mosaic tile and that he has worked in partnership with a master artist in this medium from Mexico. She read from Gustavo's report that indicated his intention of working with the Visual Arts Research Project Workshop on the City of Bloomington project. She stated that with regard to the bid of \$40,000 by Gustavo for this piece of art, the Committee believed this was an opportunity for the City to get a mutually successful project with an emerging artist looking for an opportunity to create his signature piece. She stated that although there would be some risk to the City in working with an artist with only five years of experience in this medium, it would be a tremendous deal for the City to get a significant piece of art at such a reasonable cost and with the knowledge that the artist would be working with a very experienced team of artists in this medium. She suggested the Council increase the budget for this project and take advantage of working with this emerging artist and his team of experts.

Wilcox stated that a veteran who sat on the Interior/Exterior Art Design Task Force with him commented that the City Council is willing to fund \$120,000 of taxpayer money for a piece of art on the exterior fly wall but is going to make the veterans raise the money to fund their memorial at city hall. He expressed concerns with the issue of bonding by the artist and suggested that the Council step back and look at how it's going to fund all of the items it has discussed for city hall such as the fly wall, veterans memorials, police/fire memorials, indoor art and signage, plantings, water fountains, etc. before a decision is made regarding the exterior fly wall.

Harden inquired why the City couldn't fully sponsor one piece of art, namely the exterior fly wall piece, just as other groups may be asked to fund their pieces/memorials.

Winstead expressed concerns with the artist's ability to get the artwork installed without having the necessary financial backing and without being able to guarantee that there will be no problems with the piece in the future.

Grady suggested the City could hire Cheronis to inspect the wall, the materials, the coating, and the proposal from Gustavo to determine if the project will work on that space or not.

Elkins believes this artwork is distinctive and the piece will make Bloomington Civic Plaza a landmark.

Wilcox inquired if Gustavo is bondable for the full amount of the project plus the risk factor involved.

Ornstein replied that further research will determine if an artist's work is considered "public" work or whether it is a personal service or a combination of the two.

Bernhardson summarized the Council's position on the matter by stating that it appears as though two Council members don't want to go with the tile, two would go with what's been selected, and one believes it's too risky and that a consultant should look at the wall and the project to see if it's doable first.

Peterson stated he likes the piece of art selected but concurred with the concerns previously expressed by Abrams that if this project isn't successful, it will impair the Council's ability to do other things in the future. He was concerned that very little mosaic tile work has been done in this area. He doesn't believe it would be fair for the Council to select this project with the budget now costing 2-3 times more than the original estimate. He doesn't want to use up the budget all on this one project, as he also has interest in a memorial park.

Civic Plaza Art  
continued

After hearing Council's concerns relating to the use of mosaic tile on the exterior fly wall, Harden suggested that the Council turn down this piece of art for that space and put it on the shelf for consideration by other arts group or the Council for consideration in another location on the interior of Bloomington Civic Plaza (specifically one of the two large staircase walls). She suggested another committee could be formed and given more specific guidelines in order to solicit other types of art for that wall.

Winstead suggested re-establishing a new budget for the exterior fly wall project and start the selection process over again with new guidelines based on the new information that has come to light.

Wilcox stated he would be more comfortable using tax dollars to put up such a piece of art on the interior of Civic Plaza that would last the life of the building rather than putting it on the exterior where it might only have a 15-year life expectancy. He believes expensive art should go on the inside of the building where it can be properly maintained.

Bernhardson suggested that staff bring back information on the current and future funding that is and will be available for the interior and exterior arts at Bloomington Civic Plaza along with the Strategic Priorities funding and the civic plaza contingency budget at the June 28 Council study meeting. Council to decide if it wants art or something else on the exterior fly wall and that if art is desired, a new committee would be formed and given a better budget and detailed guidelines.

Peterson suggested that if Gustavo's piece is going to be considered for the interior of the building, he may want to redesign it, as it was initially designed for the exterior fly wall with viewing from a greater distance away.

Adjourn Meeting

Mayor Winstead adjourned the special meeting at 9:32 p.m.

Barbara Clawson  
Council Secretary