

Public Art Committee

Feasibility Study

Mobilize the MAGIC City Project

Billings, MT

2024

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1. Current public art practices in Billings
 - a. Public art has been implemented in Billings for years. From painted horse statues, to Skypoint, to murals, public art has graced Billings' streets, walls, and parks. However, there has not been a consistent way that art is approved and regulated. In 2004, the City Council enacted a public art policy that created an ad hoc public art committee. The committee would come together only when public art needed to be approved. According to the policy, the ad hoc committee was supposed to make recommendations to the City Council on the approval or denial of art projects, with the City Council having the final say.
 - b. The committee met once soon after the policy was passed and reported back to the City Council that the policy needed updates to be workable. The Council passed a resolution directing the ad hoc committee to make recommendations to update the policy by April 18, 2011, but it appears these changes were not made. The policy was then forgotten about until 2023 when it was found during the Mobilize the MAGIC City project. There were several art projects in the works and ready for approval at the time the policy was found. Staff attempted to run the projects through the mechanisms of the policy as much as possible, despite the challenges of the policy. Additionally, City staff requested the policy be revoked considering its challenges. The City Council agreed and revoked the policy in 2023.
 - c. Because knowledge of the 2004 policy was lost, several departments created their own policies to regulate the implementation of public art. Their policies are outlined below:
 - i. Airport Policy
 1. Regulates temporary exhibits and displays.
 2. Airport staff are responsible for installation.
 3. Defines areas available for installation.
 4. Describes information required for exhibit and display review.
 5. Assigns Director of Aviation and Transit or designee as responsible for evaluation and selection
 6. Outlines agreement between Airport and exhibit/display owner
 - ii. Library Policy
 1. Regulates art objects received and owned by the Library.
 2. Establishes art committee that makes recommendations on art to the Library Board
 - a. Art committee:

- i. Establishes and revises art policy statements.
 - ii. Establishes and revises management procedures for fine art.
 - iii. Participates substantively in public art commission process for Library.
 - 3. Establishes Library as non-collecting institution.
 - 4. Establishes disposal procedures.
 - 5. Describes procedures for conservation and care.
 - 6. Describes how loans are received and how loans are made.
 - 7. Describes documentation related to art pieces.
 - iii. Parks Policy
 - 1. The Parks Department has an informal policy that has its Parks, Recreation, & Cemetery Board serve as the public art committee to approve art on park property.
 - 2. Parks, Recreation, & Cemetery Board members have expressed that they would prefer to have a body trained in the evaluation of art be the final say.
 - d. The Public Works Department did not have a public art policy. Public art in rights of way (public realm including streets, boulevards, and sidewalks which is managed by Public Works) was previously somewhat limited. Then, public art began popping up in places like utility box wraps that beautified utility boxes. In the mid-to-late 2010's, asphalt art became popular nationally. Asphalt art uses vibrant murals painted on the street to help create a sense of place and slow traffic. An asphalt art installation, funded by the Bloomberg Foundation, was implemented around North Park. During discussions about asphalt art, the Billings Public Works Department expressed that they wanted a fair and equitable way to decide what public art was allowed.
2. Public Art Committee Feasibility SWOC Analysis
- a. This section discusses the feasibility of a city-wide public art committee in Billings through a Strengths, Weaknesses, Opportunities, and Challenges (SWOC) analysis. This analysis considers whether there is enough work to keep the committee running, if it would have the support it needs to function, and more.
 - b. Strengths
 - i. The City of Billings organizes a number of other boards and commissions and has experience running such bodies. It also has available software to produce agendas for the meetings, and channels by which it can notify the public of meetings.
 - ii. The Mobilize the MAGIC City project worked through many unknown elements related to implementing public art. This experience is being documented in the Placemaking Playbook and can be used in the future by those who want to implement public art. In addition, this experience is being used to inform the suggested public art policy/workflow in a way that will hopefully create a smoother process for artists, community groups, and City staff.

- iii. There are already a number of public art projects proposed each year that would go before this committee if all outdoor public art on City property was covered under this policy.
- iv. The City of Billings is very invested in Crime Prevention Through Environmental Design (CPTED), “a multi-disciplinary approach to crime prevention that uses urban and architectural design and the management of built and natural environments” (International CPTED Association). CPTED promotes the use of public art to create vibrant places and reduce crime. This interest in CPTED helps build the case for public art as an important element of urban design.

c. Weaknesses

- i. There will not be a full-time staff member dedicated to public art in Billings. At the moment, it is assumed that a staff member will integrate managing the committee into an already existing workload. Many other cities have staff dedicated to public art programs and these staff often have art backgrounds.
- ii. There is no municipal funding dedicated to public art or supporting the committee. In most cases, the committee will have to respond to proposals brought to the committee for review, rather than proactively suggesting and helping to implement public art in Billings.
- iii. With anything new, there will be challenges in the process as the details get ironed out. The committee may have to recommend changes to the public art policy for consideration by the City Council.

d. Opportunities

- i. Billings has a vibrant artist community with many talented artists who could propose or work on public art projects for the committee to review. Billings also has other arts-related infrastructure such as the Yellowstone Art Museum; ArtWalk; the Billings Arts Association; Triia, an arm of the Native American Development Corporation that supports Indigenous artists; as well as a several local galleries and other non-profits.
- ii. With so much art related infrastructure, comes art professionals. There is the potential to have a strong public art committee with a deep knowledge of public art and of the community.
- iii. There is momentum building for public art in Billings with several groups funding or encouraging public art. Big Sky Economic Development offers Space2Place grants every year that can be used for creative placemaking projects. The Downtown Billings Alliance promotes art in downtown, and recently commissioned artworks for the “Light Bike Trail.” The Billings Industrial Revitalization District is also investing in artwork in the East Billings Urban Renewal District. In addition, there is a greater understanding of what public art can do for neighborhood beautification, economic development, safety, health, and more.
- iv. A formal process for approving public art could help connect all relevant departments with artists and community members for successful

completion of the art piece. The Mobilize process showed that implementing public art can be complicated and involve many departments such as Planning, Building, Public Works, Parks, and more. 3D art pieces can be highly technical and may require building permits and review by an engineer above a certain height. A formal review process ahead of the public art committee meeting where the artist/community members meet with staff from all relevant departments will help all relevant staff members contribute their relevant piece of the puzzle so that artists and community members can confidently proceed with a design that is safe and follows City code.

e. Challenges

- i. Departments are used to operating independently when it comes to what public art is approved and what is not. Different departments have different guidelines on what art is allowed or have similar policies like the MET Transit advertising policy. Departments may be hesitant to give up control of guidelines for specific departments in favor of ones that would cover all outdoor art in the City.
- ii. Without dedicated funding for public art, the City has less control over the equitable implementation of public art. As a result, public art may be concentrated in some areas of the City but not others.

3. Consideration of a City-wide public art policy and public art committee

- a. When the 2004 public art policy was revoked, City Council asked for an alternative public art policy to be brought forward for consideration.
- b. The Mobilize the MAGIC City team reached out to City department heads, local stakeholders, and technical assistance staff from the National Endowment for the Arts to develop a proposed process and policy. The team heard that the community wanted a straightforward policy that was not overly bureaucratic.
- c. Based on discussions with stakeholders, the Mobilize team developed a public art workflow process. At the time of publication of this document, the process and details are still under consideration and are undergoing legal review.
- d. As mentioned above, the reception of a possible public art committee by City staff has been mixed. There is a recognition that current efforts lack a formal process where staff may be put in the position of approving public art, even if they feel it is not their role. Many departments are in support, but some feel that their needs are best met by department specific guidelines.

4. Community feedback on Public Art

- a. Community feedback was collected throughout the Mobilize the MAGIC City process. Project team members attended a number of events such as the Strawberry festival, the opening of the Eagle Seeker Community Center, Summer Fair from the Yellowstone Art Museum, and more. At the events, attendees could participate in a pinto bean poll which asked: "What are the benefits of public art?" Each participant received three pinto beans and could place them in the cups of

their choice. Below are the responses in order of highest to least percentage of respondents:

- i. Neighborhood Beautification (23.7%)
 - ii. Community Pride (20.2%)
 - iii. Crime prevention (11.9%)
 - iv. Demand for artists (11.3%)
 - v. Health (9.7%)
 - vi. Safety (9.0%)
 - vii. Other (3%-included answers like community identity and belonging)
- b. After Artist-In-Residence, Terri Porta's art was installed, the team received positive feedback from nearby residents. One in particular was proud to have the art piece in front of his home. Students who contributed their art to the pieces were excited to see the pieces. McKinley Elementary School students participated in the ribbon cutting for the pieces. The reactions show that public art can have a positive impact in the Billings community. A new public art committee can help facilitate public art in Billings and the positive impact it has on the community.

5. Placemaking Playbook

- a. The Placemaking Playbook created as part of the Mobilize the MAGIC City project has valuable information for those who want to implement public art in Billings. There is too much information to summarize here, so interested parties are encouraged to refer to the document.

6. Conclusion

- a. It appears that a public art committee in Billings would help streamline the process of public art. The challenge will be to get departments that previously acted independently on public art on board.
- b. There is momentum supporting implementation of public art in Billings and a desire to implement more public art.
- c. Although likely supported by City staff, the committee members will have to volunteer their time to make the committee successful, both by approving or denying art installations that come before it and by considering what it can do to advance the future of public art within the Billings community.

Appendix A: Spreadsheet of Public Art Policy Examples

City/ Dept.	Definition of public art	Body responsible for decisions	Responsibilities of body	Goals/Purpose	Community engagement	Selection criteria	Acquisition methods	Documentation	Maintenance	Deaccession of public art	
Billings Public Library	<p>Not listed in policy</p> <p>Note: This review covers library art management policy, but not library archive collection policy</p>	Art Committee which is standing committee of Billings Public Library Board	<ul style="list-style-type: none"> • Create and facilitate process for additions and deletions (simple majority vote) • Establish and revise public art policy statements • Establish and revise management procedures for fine art • Provide oversight and guidance for art related issues • Review temp. art exhibition proposals 	<p>Established a uniform, thoughtful, and practical art policy regarding works of art in its public spaces</p> <p>Goal of art committee is to manage additions and deletions to collection and exhibition program</p>	Committee includes at least one community rep not affiliated with library boards as well as reps from library board, YAM, college art departments, library	Discretion of art committee	<p>Non-collecting Institution</p> <p>Talks about loans/exhibits</p>	<p>Includes:</p> <ul style="list-style-type: none"> • Records relating to object's id and legal status, including its provenance • Records of locations where object was displaced, its current condition and level of care, and required conservation • Records relating to publication of the object • Records relating to the object's value and insurance coverage 	<ul style="list-style-type: none"> • Make every effort, consistent with resources to protect objects from threats • Library's assistant director or successor makes annual inventory, working with expert if necessary 	<ul style="list-style-type: none"> • Make every effort, consistent with resources to protect objects from threats • Library's assistant director or successor makes annual inventory, working with expert if necessary • Over \$10k, get an appraisal • Committee votes on disposal • Special consideration given to living artists for exchange 	<p>Allowed for several reason including inappropriate acquisition, hazardous, poor conditions, art committee decides that it is aesthetically inferior or does not support mission to contribute to enduring cultural and aesthetic value.</p>
Billings Airport	<p>Will include, but not limited to:</p> <p>Original concepts of artists, sculptors, other craftspeople, executed in any visual art/craft medium, sculpture, carved, cast, assembled constructed, paintings, prints, photographs, drawings, murals, wall hangings, ceramics, or combinations of media</p>	Director of Aviation and Transit or designee	Evaluating exhibit and display requests based on criteria, experience, space, quality, etc.	To enhance public spaces at airport	Not listed	<ul style="list-style-type: none"> • Review of pictures/sketches • location • theme and relevance to Billings/airport, how it will resonate with public, compatibility with airport • information about proposer and experience in delivering projects with similar scope • Construction methods and materials used and impact on safety, how displayed, size and weight • Total estimated value • maintenance and cleaning • etc. 	Temporary loans	<p>Artist fills out form with information about piece</p>	<p>Piece is insured by airport when on display</p>	<p>Policy is for temporary art</p>	

City/ Dept.	Definition of public art	Body responsible for decisions	Responsibilities of body	Goals/Purpose	Community engagement	Selection criteria	Acquisition methods	Documentation	Maintenance	Deaccession of public art
Fredericksburg, VA	Public art is any work of art or structural design element situated in a public place and open for the public to experience, including installations, sculptures, murals, and other pieces designed by artists. “as open as the definition of ‘art’ itself”	Fredericksburg Arts Commission	General ones including facilitating and promoting public art Specific ones including: <ul style="list-style-type: none">Making recs to Council on acceptance of gifts and loansRecommending sitesRaising fundsGranting funding for privately owned but publicly visible artMaintaining inventory and surveyingModifying guidelinesAnd more	<ul style="list-style-type: none">Make City haven for significant artistic meritIntegrate art into all aspects of community + available to allCreate distinct places, spaces and objects to distinguish the CityEducate about history, culture, valuesTourismHighlight local artists and feature famous ones too	should help direct early identification and development. Once a project is underway, there should be mechanisms for citizens to express their opinions on the project as it evolves. Methods such as: <ul style="list-style-type: none">meetings,ads,council presentations,consultation with businesses, nonprofits, landowners & City Departments,neighborhood involvement in conception, construction, maintenance	<ul style="list-style-type: none">Meaningful collaboration between artist, city, and relevant partiesHighest quality materials and constructed according to best practices, to achieve enduring results without unusual maintenanceWell integrated into the context of surrounding environmentAccessible to all (i.e. ADA)Primarily a work of artistic merit, not advertisementAesthetic meritPublic safetyTechnical and site Feasibility, etc.	<ul style="list-style-type: none">CommissionsPurchasesLoansGiftsPrivate partnership	<ul style="list-style-type: none">Past and current certificates of ownershipDetailed descriptionValueInformation on artist of recordWarrant of originalityRecommended sitesAnnual maintenance procedure & budgetAny other fees associated with ownershipDuration (if loan)	Once every four years, the Public Arts subcommittee will conduct a condition survey for each item in the City’s collection. The survey will be the basis for prioritizing maintenance and conservation needs. If necessary, the subcommittee may solicit an independent art professional to perform a more detailed inspection. The subcommittee will submit a report of the survey’s findings to City Council.	Allowed for several reasons after review of paperwork, good faith effort to inform artist or artist’s estate, written recommendation by professional, review of correspondence/media coverage
Alexandria, VA	An original, site-specific work of art created by an artist or design element created by an artist collaborating with a design team, that is visually accessible to public. Can include music, dance, etc. Must be located in places where public life occurs Must be created by an artist which is someone who meets one or more of the following criteria: <ul style="list-style-type: none">realizes income through the sale, performance, publication or commission of original works of art;has previously exhibited, presented, performed or published original works of art in museums, galleries or other recognized art venues and publications;has formal training or education in a field of art; andhas received awards or other forms of recognition from arts juries, arts grant panels, and similar entities for his/her artistic abilities or accomplishments.	City Council with assistance from Office of the Arts and Commission for the arts	Council: Approves policy, implementation plan, capital allocations, acceptance of loans and gifts Office: Facilitate management, conservation, manage public art fund, develops guidelines, attends to operations, policy review Commission-advise Council on acquisition, donation, commission/funding of public art and acceptance of gifts, loans and memorials and deaccession	<ul style="list-style-type: none">Expand awareness and enjoyment of public artRespond to goals in community plansExpand vocabulary of workIncorporate into public facilities, private, and planning processesConvey vision for art to broader communityEnsure community has opportunity to participateBalance distributionEtc.	Managed by Office and supported by Commission for arts. Provide opportunities early on. Can occur at artist selection and concept development phases	<p>Some art is included as part of development projects. Art is approved through development review and seems to be mostly at the discretion of developer.</p> <p>For gifts and loans to City: Office of the Arts will consult with other City Departments and Commissions as appropriate and gather necessary info for Commission for the Arts to be able to make an informed recommendation to City Council as it relates to the quality of the artwork, appropriateness of the project, technical considerations, and consistency with the overall goals for the Public Art Program and adopted City plans and policies.</p>	For public art fund, task force is created, project plan is developed which includes artist selection process. Some artwork is part of private development	Not listed in policy	Needs to be assessed every 3-5 years	Allowed for several reasons and may be exchanges, sold at public auction, private sale, or disposal. Funds go into public art fund. Manner is matter of public record

City/ Dept.	Definition of public art	Body responsible for decisions	Responsibilities of body	Goals/Purpose	Community engagement	Selection criteria	Acquisition methods	Documentation	Maintenance	Deaccession of public art
Raleigh, NC	Lists several types of public art and includes sound, video, portable, and temporary art	City Council City of Raleigh Arts Commission Public Art and Design Board	Council- reviews policy and related docs to access compliance Arts Commission •Establishing and approving curatorial and programmatic policies, goals, guidelines •Approving accession, care, and deaccession of all donations to Municipal Art Collection •Reviewing cleaning, repair and care of municipal art collection •Approving temporary public art projects •Approving citizen initiated art under \$10,000 Public Art and Design Board •Percentage for the Arts project review and approval •Approving or rejecting citizen initiated projects over \$10,000 Office of Raleigh Arts •Curates Municipal art collection and coordinates public art projects	•Establish diverse collection of public art •Create works of public art with cooperation of community •involving local/regional/national artists of diverse backgrounds •Provide opportunities for artists •Consider economic development + tourism •Understanding of public art + encourage dialogue •Create a “museum without walls” •Provide a legacy of art	Part of the overall conceptual design development. There are numerous opportunities for community involvement, public input and discussions of location, safety, maintenance. Community input and information-sharing may take place at neighborhood meetings or occur in other ways, such as: • Reviews of existing plans, histories or public art plans for the site or area at meetings of City commissions, boards and other organizations. • Surveys or interviews of nearby residents or site users. • Hosted or facilitated internet discussions. • Events such as public meetings, forums or design charrettes/ workshops. • Cultural events and gatherings.	May consider the following questions (see policy for guiding questions under these): •Aesthetic Quality and Artistic Merit •Placement/siting •Fabrication, handling, and installation •Maintenance requirements •Liability and safety Also lists criteria for non-acceptance	Open invitational/open entry or limited invitational/focused entry •Gifts •Purchases of artwork •Percent for Art Public Art •Monuments & Memorials •Citizen-Initiated artwork (over \$10k is large scale and have additional public engagement requirements) •Loans	A centralized computerized collections management system is used to inventory, photograph, document and track all artworks in the Municipal Art Collection Exhibited artworks are labeled with the title, artist and date of the work, at a minimum.	Inventory conducted annually and reported to risk management section of City Finance department Public art director oversees cleaning, repair and maintenance	Allowed for several reasons after written recommendation of public art director. It is reviewed and endorsed and then submitted to Arts Commission. Default is sale for best price possible with net proceeds going to acquisition
Keller, TX	Arts in public places – Any art displayed, performed, or demonstrated in city parks, rights-of-ways, or the interior/exterior of any city facility. Artwork – Includes, but is not limited to, a sculpture, monument, mural, painting, fountain, or stained glass. Artist – A practitioner in the visual and/or performing arts, generally recognized by critics and peers as a professional of serious intent and recognized ability who produces fine works of arts This Policy applies to all Artwork commissioned by, acquired by, loaned to, or donated to the City and/or displayed, performed, or demonstrated in City parks, rights-of-ways, or the interior/exterior of any City facility for the purpose of public exhibition or use.	City Council Public Arts Board	Council-ultimate discretion authority to review, evaluate, accept, reject and oversee all phases of Public Arts Program Public Arts Board- • advise Council to provide recommendations on all matters pertaining to public arts program, including incorporation of artworks into design of selected City projects and commission of artworks for public spaces and facilities • Dev. inventory of publicly accessible spaces for public art • Encourage citizen participation • Submit any proposed policy changes to Council	• Support & promote process that will encourage visual and performing arts in public places, define programs, policies, and guidelines for acquiring and commissions arts of highest standard • integrate artists into project teams • foster quality design that best respond to distinctive characteristic of each project site and community it serves • select artists that can rep. Keller • encourage public participation • enhancing eco. dev. and tourism • reflect breadth of community	Says that it should be represented during artist selection and when evaluating art	• Conformance with design, zoning, and construction codes • When considering artist selection, capabilities and quality of artist's work • All styles, schools, tastes considered • Artist's previous demonstrated ability to make art that can survive the elements, not have excessive repair costs • Should embrace public participation and functional considerations. May also serve to establish focal points and terminate areas, modify, enhance or define specific spaces, establish identity, or address issues of urban design • Selection process shall ensure that interests of all concerned parties are represented, including the public, arts community, and City	• Public art fee requirement • Included in Capital Improvement Projects exceeding \$1 million • Grant monies (City actively pursues) • Contributions, commissions, and donations from private and public sector • Donations and Loans	Signage required for artwork	• Art accepted by City becomes property of City • Organization that will bear cost of installation, maintenance and restoration of arts accepted by Council shall be determined prior to acceptance • Regular maintenance responsibility of City. Recommendations from artist will be considered. Maintenance shall be consistent with that of location where art is located • City responsible for restoration or replacement. funds can come from public art fund	Allowed by recommendation of Public Art Board and approval of Council Can: • Sell/Trade with funds going to public art fund • Remove from display and store or dispose • Discard artwork • allows for other methods in the future

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Fredericksburg, VA <https://www.fredericksburgva.gov/DocumentCenter/View/1883/Arts-Commission-Public-Art-Policy?bidId=>

Alexandria, VA https://media.alexandriava.gov/docs-archives/recreation/arts/publicart/public-art-implementation-plan--final-final.pdf?_gl=1*1ofgnf*_ga*MTI2NDQ2ODk3Mi4xNzA1MzY3OTQy*_ga_249CRKJTH*MTcwNTM2Nzk0MS4xLjEuMTcwNTM2ODA0OS4wLjAuMA..

Raleigh, NC <https://cityofraleigh0drupal.blob.core.usgovcloudapi.net/drupal-prod/COR24/PAPolicy.pdf>

Keller, TX <https://www.cityofkeller.com/home/showpublisheddocument/26861/637806232895800000>