

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 2, ARTICLE V, DIVISION 4 RELATING TO THE PUBLIC ARTS COMMITTEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That Chapter 2, Article V, Division 4 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 2-409. Name and purpose.

The Public Art Committee is hereby renamed as the Cultural Arts Commission whose purpose is to advance cultural arts programs, partnerships, initiatives, and provide guidance and support to the department of leisure services for matters related to cultural arts.

Sec. 2-410. Composition.

The Cultural Arts Commission shall be composed of seven members. Members shall be committed to furthering cultural arts in Kingsport.

- (1) The members of the commission shall be appointed by the mayor with the approval of the board of mayor and aldermen.
- (2) The members of the commission shall serve terms of three years.
- (3) Any member of the Commission with unauthorized absences from three consecutive meetings shall be deemed to have resigned from the commission. A successor shall be appointed to fill the vacancy as provided in this section.
- (4) If a vacancy occurs on the commission, the mayor shall appoint a new member to fill the unexpired term. Such appointment shall be approved by the board of mayor and aldermen.
- (5) The members of the commission shall serve without compensation.

Sec. 2-411. Meetings; election of officers.

(a) The members of the Cultural Arts Commission shall meet in regular session and organize themselves by electing from their number a chairperson, vice-chairperson and a secretary. Each person elected shall hold office for one year or until a successor is elected and qualified. Four members shall constitute a quorum.

(b) The Cultural Arts Commission shall meet in regular session but no less than quarterly, and the time and place shall be decided by a vote of the members. It shall be the duty of the chairperson to preside over all meetings of the Commission. In the absence of the chairperson, the vice-chairperson shall preside. The secretary shall keep a record of all proceedings of the commission. Special meetings may be called by the chairperson or by any four voting members of the commission. The Cultural Arts Commission may have such sub-committees as it deems appropriate.

Sec. 2-412. Administration; funding.

(a) The cultural arts division of the city shall be responsible for administering cultural arts programs.

(b) The Cultural Arts Commission, subject to the administrative guidance of the city manager, or designee, and control of the Board of Mayor and Aldermen, shall be responsible for the development of public art policies and guidelines as laid out in Sec. 2-413 and advise on all matters related to cultural arts. The commission is also responsible for advising on the operations of the carousel as well as public art and carousel gift shop funds.

(b) Cultural arts projects and initiatives in the city may be funded from the capital improvement plan. The public art reserve fund may receive up to 0.75 percent of eligible general fund capital improvement project funds, up to a maximum of \$75,000.00 per project, at the time construction of an eligible project is initiated provided there are sufficient funds. Up to 0.50 percent of eligible general fund capital improvement project funds may be used for the selection, design and development of works of public art with priority given to the particular capital improvement project generating funds and 0.25 percent of eligible general fund capital improvement project funds may go to the public art fund for maintenance of the city's public art, marketing and public education, programs, and initiatives regarding cultural arts provided there are sufficient funds.

Sec. 2-413. Public art policy.

(a) Public Art shall be defined as art commissioned by the Cultural Arts Commission utilizing public funds or art located on public property that is intended to be permanent or semi-permanent in nature.

(b) The Cultural Arts Commission shall develop public art policies and guidelines for consideration by the Board of Mayor and Aldermen. It shall also establish a plan and a priority for public art projects within the city limits. The commission may establish selection committees for each individual public art project and oversee the request for proposal process. All matters concerning public art shall first be referred to the Cultural Arts Commission for consideration, coordination and recommendation to the Board of Mayor and Aldermen. The Cultural Arts Commission shall serve in an advisory capacity to the board of mayor and aldermen for all matters involving cultural arts.

SECTION II. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____