

ORDINANCE NO. 2022-24

CITY OF COLUMBIA CITY, INDIANA

**AN ORDINANCE ESTABLISHING AN ARTS COMMISSION
FOR THE CITY OF COLUMBIA CITY, INDIANA**

WHEREAS, the Common Council of the City of Columbia City, Indiana, has determined that it could be beneficial to its community and citizens to establish an Arts Commission for the City of Columbia City; and

WHEREAS, the Common Council has the authority to establish such an Arts Commission under the laws of the State of Indiana and the City's Code of Ordinances; and

WHEREAS, it is desired by the Common Council and Office of the Mayor for an Arts Commission established by the City to be somewhat autonomous to allow for creative freedom and flexibility to provide public art for the benefit of its constituency and the vitality of the City of Columbia City, its citizens and the community.

NOW, THEREFORE, be it ordained by the Common Council of the City of Columbia City in Whitley County, Indiana, that a Columbia City Arts Commission be established as follows:

Article 1. Name. The arts commission for the City of Columbia City, Indiana, shall be identified as the Columbia City Arts Commission (often referred to herein as the "CCAC").

Article 2. Purpose and Definitions.

(a) The purpose of the Columbia City Arts Commission shall be to encourage artistic recognition, enhance the arts experience, and expand the presence of public art in the City of Columbia City for its residents and visitors.

(b) Definitions:

(1) Public Art includes, but is not limited to visual, musical, dramatic, or any other aesthetic work that is accessible to the general public. Public Art may be located on public or private property that may be publicly or privately owned. Public Art, whether respecting content or placement, must meet all City, State or Federal laws and regulations.

(2) Artist: A practitioner in the visual or performing arts, recognized by critics and peers as a professional with recognized ability who produces artworks.

Article 3. Goals. The goals of the CCAC are to:

- (a) Promote diverse expressions of the arts throughout each calendar year;
- (b) Incorporate the community's history and future into public art;
- (c) Expand tourism, economic development, and engagement opportunities;
- (d) Collaborate with public, private, and non-profit entities to increase access to the arts;
- (e) Celebrate the arts through public displays, events, and installations;

- (f) Provide general guidelines for public art to organizations, businesses, and artists;
- (g) Enhance gateways, corridors, and community identity;
- (h) Develop and Provide a Public Arts Plan for the City; and
- (i) Pursue funding opportunities for expansion of the arts.

Article 4. Commission Membership and Structure. The controlling board of the CCAC shall be created and maintained as follows:

4.01 Members. There shall be seven (7) members comprising the CCAC. Members shall be selected as follows:

- (a) Four (4) members to be selected by the Mayor with one member actively involved in an arts-related group or organization. None of these membership positions may be filled by the Mayor or City staff members.
- (b) Three (3) members to be selected by the Common Council. A maximum of two (2) Council members may be appointed under this provision.
- (c) Members must reside within Columbia City Boundaries or within the City's Jurisdictional Area.
- (d) To meet the "actively involved" requirement, members must have knowledge of, advocacy of, or involvement with some element of public/private art.
- (e) The Community Development Director may serve as an Ex-Officio Member but shall have no voting power.
- (f) The CCAC may add additional ex-officio members with a majority vote by the board.

4.02 CCAC Board Member Terms and Term Conditions.

- (a) All board member terms shall be four (4) years in length.
- (b) Members may be replaced *without* cause.
- (c) Members may serve a maximum of 3 consecutive terms but may serve additional terms after at least a one year leave from the board.
- (d) The term of a member who fills a vacancy mid-term shall be for the remainder of the predecessor's immediate term.
- (e) If possible, members shall continue to serve until a successor is chosen, unless the member has served the maximum number of terms.
- (f) If a replacement is not selected within two months from the conclusion of a member's term, the member shall be re-appointed (if the member has not served the maximum number of consecutive terms and desired to continue the member's service on the board).
- (g) Initial terms (to establish the CCAC):

(1) Mayor's Appointments:

- (i) 1 Member – 4-year term
- (ii) 1 Member – 3-year term
- (iii) 2 Members – 2-year terms

(2) Council Appointments:

- (i) 2 Members – 4-year terms
- (ii) 1 Member – 3-year term

(h) Member terms will be automatically renewed if at the end of a member's term, a successor has not been appointed (and the member has not served the maximum number of consecutive terms).

4.03 Officers. The CCAC Board shall elect a Chair, Vice-Chair, and Secretary at the first meeting of every even-numbered year. Election shall be made by majority vote. All officers must be voting members. If the CCAC begins on an odd-numbered year, the board shall elect these positions and hold an election at the first meeting in the next even-numbered year.

4.04 Meetings.

- (a) The Chairman shall set a consistent meeting schedule that shall be publicized pursuant to IC 5-2.
- (b) The Vice-Chair shall stand-in for the Chairman when the Chairman is not available or present.
- (c) The Secretary shall keep written minutes of each meeting and shall submit approved minutes to the City Clerk-Treasurer for record-keeping. Minutes shall include members present, topics discussed, and any votes and results of such votes taken.
- (d) Board members with a direct, individual financial interest (for themselves or family members) in specific projects or programs shall declare a conflict of interest and shall not vote on the specific project or program or take part in deliberations. They may, however, be available to answer questions asked by the CCAC.
- (e) The CCAC may create subcommittees at its discretion for any purpose listed under Articles 1 and 2. Subcommittee meetings should be conducted in the same manner as the CCAC board meetings; however, any actions to be taken or decisions made must be approved by the CCAC board.

4.05 Funding.

- (a) A new fund shall be created and designated as the *Public Arts Fund* (the "Fund") in the City's budget.
- (b) The Fund shall be classified as a donation fund with all balances remaining in the fund at the end of the year, and no dollars reverting to the City's general fund.
- (c) The primary sources of funding for the CCAC may include, but not limited to:
 - (1) Private grants and donations;
 - (2) Public art grants and funding; or
 - (3) Other municipal contributions or funds.
- (d) Uses of the Fund shall be to perform the goals of the CCAC (see Article 2).
- (e) Board members shall not collect a per diem or payment for their participation on the board.

(f) Board members may be reimbursed from time to time for expenses that are pre-approved by the Chairman of the Board, or the Board itself, if the reimbursement request comes from the Chairman. However, all reimbursements must also first be pre-approved by the Mayor; but such Mayoral approval/s may be in the form of an annual pre-approved list of acceptable reimbursements and/or amounts as well as individual reimbursement approvals.

(g) If the CCAC board deems it advantageous, the CCAC may also set up a public arts fund through another charitable organization or foundation.

4.06. Reporting Requirements. The CCAC shall give a yearly report in the first quarter of each calendar year to the Common Council detailing the previous year's activities. The Common Council or Board of Public Works may request the CCAC to participate or report in a meeting, as needed. Minutes from each meeting, after approved by the CCAC board members, shall be given to the Clerk-Treasurer for records retention.

4.07. Dissolution of CCAC. The Columbia City Arts Commission shall be considered dissolved if:

- (a) All seven (7) members of the CCAC vote to dissolve the CCAC;
- (b) The Common Council unanimously votes to dissolve the CCAC;
- (c) The CCAC fails to meet for 12 consecutive months; or
- (d) A majority of CCAC member terms have expired and no new appointments have been made.

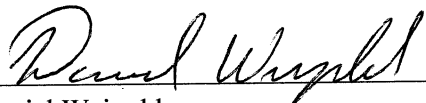
In the event of the dissolution of the CCAC, all remaining funds in the Public Arts Fund shall be authorized for use by the Mayor for arts-based projects, at the Mayor's sole discretion.

Article 5. Amendments. Amendments to this Ordinance or the provisions contained herein shall be at the discretion and direction of the Common Council.

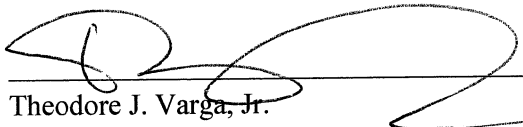
IT IS FURTHER ORDAINED that this Ordinance shall be effective upon passage and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Columbia City in Whitley County, State of Indiana, this 23 day of August, 2022.

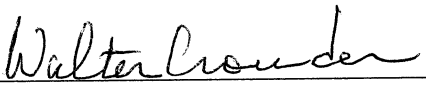
COMMON COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, BY:



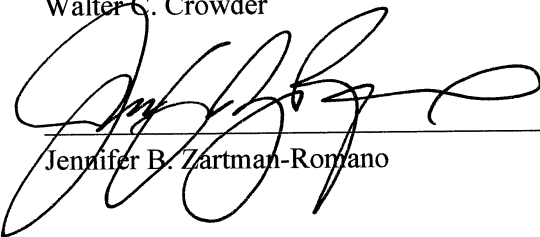
Daniel Weigold



Theodore J. Varga, Jr.

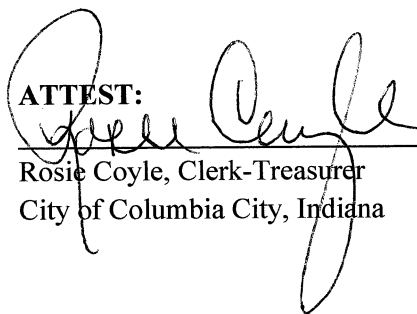


Walter C. Crowder



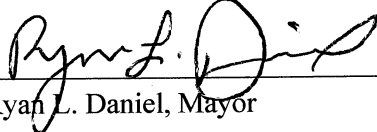
Jennifer B. Zartman-Romano

Jennifer Middleton

ATTEST:


Rosie Coyle, Clerk-Treasurer
City of Columbia City, Indiana

APPROVED AND SIGNED BY:



Ryan L. Daniel, Mayor

Date: 8-23-22