

**WEST HAYMARKET JOINT PUBLIC AGENCY (JPA)**  
**Board Meeting**  
**September 17, 2015**

Meeting Began At: 3:31 P.M.

Meeting Ended At: 4:37 P.M.

Members Present: Chris Beutler, Tim Clare, and Carl Eskridge

**Item 1 -- Introductions and Notice of Open Meetings Law Posted by Door**

Beutler advised that the open meetings law posted at the entrance to the room is in effect.

**Item 2 -- Public Comment and Time Limit Notification**

Beutler advised the audience that public comment is welcome and explained the time limit.

**Item 3 -- Approval of the minutes from the JPA meeting August 27, 2015**

Clare moved approval of the minutes as presented. Eskridge seconded the motion. Motion carried 3-0.

**Item 4 -- Approval of August 2015 Payment Registers**

Steve Hubka, City Finance Director, presented the August 2015 payment register. He reported that the August payment register total was \$710,357.00 dollars and of that \$626,956.00 is from the operations budget. Hubka noted a payment on the JPA's loan from SMG for operation expenses of \$203,420.00; a payment of \$56,335.00 for maintenance of the festival lot and Arena Drive to Parks and Recreation; and a payment of \$27,500.00 for half of the VSG Consulting Contract.

Public comment from Jane Kinsey.

Eskridge moved approval of the payment registers. Clare seconded the motion. Motion carried 3-0.

**Item 5 -- Review of August 2015 Expenditure Reports**

In presenting the August 2015 Operating Budget Expenditure Reports, Hubka reported that after the revisions to the budget were made last month, we ended the year \$240,239.00 under budget. The capital project budget is well under budget at this point. Public comment from Jane Kinsey. No action on this item was necessary.

**Item 6 - WH 15-19 Resolution to approve the Agreement between the West Haymarket Joint Public Agency (JPA) and Ed Carpenter relating to the final design, engineering, fabrication, and installation services for a metal sculpture to be installed in an area of the Pinnacle Bank Arena Plaza as designated by the JPA. (Chris Connolly)**

Chris Connolly recommended approval of the Agreement between the JPA and Ed Carpenter relating to the design, fabrication, and installation of a metal sculpture. He explained the costs and the process by which the committee selected the sculpture. Connolly addressed the concerns of adding the sculpture to the designated location with drawings showing available space and the total non-pedestrian space or areas in which pedestrians cannot walk, stating that only 8% of the total area would be non-pedestrian space and this included the sculpture. Connolly presented a drawing for the Board's review and discussed the walkways and areas available for congregation in the space. Connolly stated in order for this item to pass only 2 votes are needed.

Ed Carpenter discussed his sculpture. Carpenter, from Portland, Oregon, stated his sculpture is an elegant and transparent piece that would be scaled properly against the arena and the other objects in the area. It would be effective from long distances and up close. Mr. Carpenter stated the sculpture would be made of outer layers of stainless steel and inner layers of laminated glass. He further explained how the glass will reflect and transmit light. Mr. Carpenter said the sculpture will almost be made in its entirety in the State of Nebraska. Carl Eskridge asked Mr. Carpenter for an explanation on what his inspiration was for the project to which he explained after spending time in the Lincoln area he was immediately struck by the beautiful and unique structures holding up the canopies along the rail line. When he started designing the sculpture he found himself designing a structure similar to the canopies he took pictures of along the rail line. Mr. Carpenter stated the sculpture represented the railways, but also had agriculture references.

Public comment from Launa Bacon of the Nebraska Arts Council. Launa believed the work proposed by Mr. Carpenter will add immeasurably to our growing reputation and explained the law passed in 1979 that the state will foster culture and the arts by appropriating 1% of capital expenditures and the important role of public art. Beutler discussed with her the 1% for art expenditures and stated that the JPA does not have the 1% contribution in place.

Public comment from Jane Kinsey expressed she does not have any negative feelings about the sculpture, stating it is rather beautiful, however, she is concerned about the money. She questioned who the committee members are who selected the sculpture. Beutler advised Kinsey that the committee is not listed publicly; however, she is able to obtain their names by contacting his office.

Public comment from Christi Dionisopoulos with Lincoln Partners for Public Art Development. Christi explained she was involved in the process of choosing the art for the arena. She further explained the funds that were available and how they went about advertising for proposals, in which 200 proposals were submitted for their review. The committee narrowed the proposals down to 3 and then from there, narrowed it down to the finalist. She is excited to say the piece is publicly funded and discussed previous pieces made by Ed Carpernter, his reputation, and the huge impact this sculpture will have on the West Haymarket area and the Arena plaza. Carl Eskridge questioned how many people were on the committee who selected the sculpture to which Christi responded around 12-15 people with various backgrounds in art and people with no background in art, but had an interest for the arts.

Public comment from Lori Thomas, Director of Lincoln Partners for Public Art Development (“LPPAD”). Lori stated she is speaking in support of the sculpture and explained the mission of LPPAD.

Tim Clare commented that he is a fan of public art, appreciates the benefits it brings to a community and feels that it is important. Clare stated he has two concerns: 1) the placement of the sculpture and 2) pursuing partnership opportunities. Clare explained, Husker Authentic, a retail store and tenant of PBA, will be almost 100% blocked by sculpture and proposes scaffolding be place where the sculpture would be placed to see traffic patterns and the impact of the sculpture. Clare discussed we should look at how the traffic is impacted coming off the ramp, for example, when there is a marathon. Clare requested more time and thought the process is moving too fast.

Chris Connolly submitted a letter to the Board from WRK, LLC, in support of the art sculpture for the Board’s review.

There being no further discussion, Eskridge moved approval of the resolution. The motion was seconded by Clare. Clare moved to table the resolution so that it can be determined how the sculpture would impact basketball game traffic and to pursue private partnerships. No second was received on the motion to table. The motion failed for lack of second. Eskridge commented that he appreciated Clare’s concerns, but believed the movement of the sculpture to its current location eliminated concerns for obstacles with traffic flow. Beutler also stated he appreciated Clare’s concerns, but stated we cannot have perfect symmetry with every project. Beutler also stated the current location of the sculpture, as per discussions with SMG’s Manager, is the best location for the sculpture out of the 3-4 locations previously looked at. The motion for approval of the resolution carried 2-1. Eskridge and Beutler for and Clare opposed.

**Item 7 -- Set Next Meeting Date**

Without objection, the next meeting date was set for Thursday, October 29, 2015 at 3:30 p.m. in the City-County Building, First Floor, Bill Luxford Studio.

**Item 8 -- Motion to Adjourn**

Eskridge moved to adjourn. Motion seconded by Clare. The meeting adjourned at 4:37 p.m.

**Prepared by: Kasey Simonson, City Law Department**

