

ORDINANCE NO. 99-13

AN ORDINANCE CREATING AN ARTS  
AND HUMANITIES COMMISSION,  
AN ADVISORY COMMISSION OF THE CITY  
OF RUSSELLVILLE, KENTUCKY

WITNESSETH: THAT WHEREAS, the City of Russellville deems it advisable and in the best interests of the citizens of the City of Russellville to establish an arts and humanities commission.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF RUSSELLVILLE THAT:

**I. Arts and humanities commission.**

Section 1. *Creation of arts and humanities commission.* There is hereby created the arts and humanities commission, an advisory commission of the city. The commission shall consist of seven members, to be appointed by the mayor with the approval of the city council.

Section 2. *Duties.* The arts and humanities commission, hereinafter called the commission, shall encourage the development of art, literature, ballets, theatricals, musicals, choral, societies, children's theatricals and plays, creativity and other humanities in the city. The commission shall hold public meetings, collect information and recommendations, and make reports and recommendations from time to time to the city council. The commission shall study the availability of facilities of all kinds of relating to arts and humanities, including but not limited to libraries, museums, art galleries and theaters, both publicly owned and owned by nonprofit corporations, and shall recommend methods of coordinating such facilities and the activities in such facilities. The commission shall also encourage individual creativity, by recognition of individual creative achievements and by recommendations on facilities and supplies to be furnished by public bodies, nonprofit organizations and by business.

Section 3. *Compensation of members.* The members of the commission shall serve without pay.

Section 4. *City facilities to be furnished.* The city shall provide, at the expense of the city, meeting rooms, stationery, postage and limited secretarial help, within the amounts available under the city budget.

Section 5. *Coordination with existing organizations.* The arts and humanities council shall communicate with all existing nonprofit organizations interested in arts and humanities in the city, in order to coordinate the work of the committee with work that is being done within the community and in order to avoid or reduce duplication, where possible.

Section 6. *Participation.* The commission shall encourage participation by school children, by minorities as well as majorities, by the handicapped, as well as the able bodied, by sight or hearing impaired persons, as well as those in full possession of their faculties in so much as such participation is possible. They shall see to it that as many events as possible shall be held in places easy of access to handicapped persons. They shall also give suitable awards when funds or awards are available to encourage participation by all citizens.

Section 7. *Volunteers.* The commission shall encourage those citizens capable and willing to help in such programs, and shall see to it that honorable mention is awarded such persons or persons. The committee shall welcome participation by suitable volunteers.

Section 8. *Conduct.* Any meetings, plays, theatricals, outdoor or indoor affairs shall be conducted in an orderly manner, and if necessary the police department shall delegate a policeman to help maintain order.

Section 9. *Compliance with ordinances.* Any event sponsored by such commission shall be, if held in buildings, arenas or the like comply with city ordinances on fire safety, number in attendance and any other applicable ordinances. Other events sponsored by the commission shall also comply with all applicable ordinances.

Section 10. *Reports.* The commission shall report at least once each year to the city commission. Such report shall be in writing but it may be accompanied by visual or oral presentation or by other media.

Section 11. *Evaluation.* The city council shall evaluate the work of the commission at least once a year. At the end of each annual evaluation, the city council shall determine whether the commission shall continue as established, continue with changes or be abolished.

## **II. Arts commission, with conflict of interest provisions and protection against offensive matters.**

Section 1. *Definitions.* As used in this ordinance, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

(a) "The Arts" shall mean all aspects of activities that involve: music, theater, dance, performance, cinema, documentation, sculpture, painting, poetry, literature, folk traditions or fine crafts that involve a quality of aesthetic judgement and execution that will best contribute to the quality of life for citizens of the City of Russellville.

(b) "The Russellville Public Arts Fund" shall mean a non-profit corporation acting in conjunction with the City of Russellville and the Commission in furtherance of funding arts projects.

(c) "Commission" shall mean the Russellville Public Arts Commission.

(d) "Commissioner or Commissioner's" shall mean the person or those persons appointed as members of the Commission.

(e) "Council or City Council" shall mean the City Council of the City of Russellville.

(f) "Conflict of Interest" shall mean the existence of any of the following conditions which apply to a Commission member:

(i) A Commissioner has a material or financial interest in the proposal or the proposal materially affects the Commissioner's business, profession or occupation; or

(ii) A Commissioner is a director, trustee, officer, regular or contracted employee or agent of an institution directly involved in the issue or proposal; or

(iii) A Commissioner is related as a spouse, child, parent or has some other significant relationship to an individual directly affected by the issue or proposal.

Section 2. *Establishment.* There is hereby created a Russellville Public Arts Commission for the City of Russellville.

Section 3. *Purpose.* The purpose of the Russellville Public Arts Commission is to promote public appreciation, accessibility and patronage of the arts in the City.

Section 4. *Composition and Qualifications, Appointment and Removal and Compensation.*

(a) The membership of the Commission shall consist of seven Commissioners who shall be appointed by the Mayor, with the approval of the City Council.

(b) Commissioners shall serve without compensation. The original term of the Commissioner shall be for one year, the original term for two Commissioners shall be for two years, and the original term for three Commissioners shall be three years. Subsequent terms of Commissioners shall be three years, and all terms will expire on December 31 of the appropriate year. No Commissioner shall serve more than two consecutive terms. When a vacancy occurs in said Commission, by means of resignation, death, removal from the community or removal for failure to perform the duties of a Commissioner, the vacancy will be filled for the unexpired term in the manner provided for original appointments.

(c) The Commission shall meet monthly upon a regular schedule adopted by it, and may meet additionally at the call of the chairperson or of any two members. The Commission shall call such meetings, hearings, and conferences as may be needed to effectuate the purposes and policies of this ordinance. Such meetings and notices thereof shall comply with applicable law, including all applicable laws of the State of Kentucky concerning open meetings.

(d) The Commission shall, at its first meeting in January of each year, elect a Chairperson and Vice Chairperson. No person shall serve more than two consecutive terms as Chairperson or Vice Chairperson. The Commissioner shall also elect a person, who may or may not be a member of the Commission, who shall serve the Commission to the Mayor and City Council.

(i) Chairperson: The Chairperson will preside and maintain order at all Commission meetings and will make such reports as required by law and as may be deemed necessary by the Commission to the Mayor and City Council.

(ii) Vice Chairperson: The Vice Chairperson will fulfill the duties if the Chairperson in the absence of the Chair including the calling of Commission meetings and assist the Chairperson with administrative meetings.

(iii) Secretary: The Secretary will assist the Chairperson and Vice Chairperson in the administrative duties of the Commission. The Secretary will be responsible for the preparation of the minutes of the Commission.

Section 5. *Commission Authority.* The Commission shall have the following authority.

(a) To recommend to the Mayor and City Council a Public Arts Plan for the City. The Commission shall develop a Public Arts Plan for the entire City. The plan shall be subject to the approval of the Mayor and City Council. Thereafter, this plan shall be periodically updated, but in no event less than annually. The plan shall include, but not be limited to, the following: a listing of long-term objectives of the Commission in carrying out its purpose as stated above; criteria for the selection of artists and works of art; a list of locations throughout the City for the placement of works of arts; and current list of priorities for the funding of various arts organizations and projects throughout the City.

(b) To recommend to the Mayor and City Council methods of location and selection of artisans, performance and artful activity, funded directly or indirectly by the City.

(c) To recommend to the Mayor and City Council for funding, where applicable, arts organizations or projects to be funded in whole or in part by the City.

(d) To recommend to the Mayor and City Council criteria for the selection of artful activity.

(e) To serve as consultant on art projects for the City.

(f) To assist the City in raising funds from public and private sources for funding arts projects in the City.

(g) To report to the Mayor and City Council at least annually on the activities of the Commission and the projects that it has recommended.

Section 6. *Conflict of Interest.* If a member of the Commission has a conflict of interest with regard to any applicant or proposal, that conflict is to be declared when the applicant or proposal is first discussed. When a conflict of interest occurs, the Commissioner shall refrain from voting on the applicant or proposal and shall refrain from taking part in any discussion of the proposal with the Commission or with any member thereof.

Section 7. *Arts Fund.* A special fund shall be established by the City for the purpose of collecting and retaining funds from public and private sources for arts projects. The general tax levy of the City shall not be a revenue source for this special fund.

In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect the validity of any other provision.

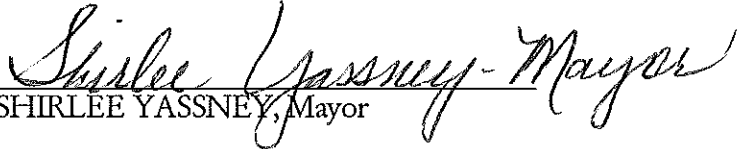
All portions of any section of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

This ordinance shall be effective after its passage and publication according to law.

FIRST READING conducted this the 17th day of August, 1999.

SECOND CONDUCTED AND PASSAGE by roll call vote this the 7th day of September, 1999.

AYES:	NAYES:	ABSENT:	ABSTAINING:
<u>Russell Jones</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Gerald Chapman</u>	<u></u>	<u></u>	<u></u>
<u>Pat Bell</u>	<u></u>	<u></u>	<u></u>
<u>Jean Hankins</u>	<u></u>	<u></u>	<u></u>
<u>Howard Wren</u>	<u></u>	<u></u>	<u></u>
<u>Morris L. Kisselbaugh</u>	<u></u>	<u></u>	<u></u>

  
SHIRLEE YASSNEY, Mayor

ATTEST:

  
PEGGY JENKINS, City Clerk