SUBJECT: Installation of Temporary Public Art Mural on City Property (CS06016) (Ward 2)

RECOMMENDATION:

That the request from the Hamilton Conservatory for the Arts, to paint a temporary mural on the retaining wall on the west-side of James Street South, just south of the railroad track overpass and directly below the Hamilton Conservatory for the Arts, be approved.

Joe-Anne Priel
General Manager
Community Services Department

EXECUTIVE SUMMARY:

The Hamilton Conservatory for the Arts has requested permission to install a mural on the west-side of James Street South, south of the railroad track overpass and directly below the Hamilton Conservatory for the Arts. The Hamilton Conservatory of the Arts is not seeking funding to complete this project.

BACKGROUND:

The Cultural Services Section administers a variety of public art projects. There are public art pieces which are considered to be permanent installations. They are inventoried as part of a permanent collection. In addition to permanent public art pieces, there are temporary public art installations that do not form part of a permanent collection and are not maintained. Public art that is considered to be of a temporary
nature includes installations that by the nature of its materials, has a limited lifespan. Murals are considered to be temporary public art.

In the fall of 2005, the Hamilton Conservatory for the Arts approached the Community Services Department, Cultural Services Section, to seek permission with respect to the installation of a temporary mural (artist’s conceptual drawing as attached in Appendix A to Report CS06016) on the retaining wall on James Street South. The location is the retaining wall on the west side of James Street South, just south of the railroad track overpass and directly below the Hamilton Conservatory for the Arts (map and photo of location attached as Appendices B and C to Report CS06016). The Conservatory is not requesting funding.

A temporary mural project has been undertaken on this property once before. On May 10, 1994, Council approved a recommendation from the Transport and Environment Committee for the installation of a mural by the Native Indian / Inuit Photographers’ Association (NIIPA). The mural was installed in August 1995, as part of the initial Temporary Public Art Agreement, and it was later removed from display in 2002.

**ANALYSIS/RATIONALE:**

A group of businesses and community members have formed “The James Street South District - Street Beautification Committee”. They have organized a number of highly successful community events, and they are interested in making their neighbourhood a more desirable place to visit. As part of these improvements, the Hamilton Conservatory for the Arts would like to add an original work of art to the neighbourhood. The Hamilton Conservatory for the Arts has agreed to cover 100% of the cost for the mural, including materials, labour, insurance and maintenance for an approximate value of $5,978 (the mural proposal is attached as Appendix D to Report CS06016).

(a) The Hamilton Conservatory for the Arts’ mural proposal meets standards for preservation, based on the temporary lifespan of the mural recommended by the Cultural Services Section.

(b) The Hamilton Conservatory for the Arts will provide proof of insurance according to the specifications outlined by the City's Risk Management Department for comprehensive general liability insurance. The Certificate of Insurance will name the City of Hamilton as named insured and the policy is subject to cross liability and severability provisions.

(c) The Hamilton Conservatory for the Arts will complete a Road Occupancy Permit Application for the closure of the sidewalk during the preparation and painting of the mural, as per the Road Occupancy Permit Policy.

(d) The Hamilton Conservatory for the Arts will do minor repairs to the surface of the retaining wall to make it suitable for painting (as outlined in the mural proposal, attached as Appendix D to Report CS06016). This will be completed to the satisfaction of the General Manager of Public Works.
(e) Any mural sponsors who will be included in the value recognition piece, will meet the corporate standards contained in the Commercial Advertising and Sponsorship Policy.

(f) The mural is a temporary public art installation and has an expected lifespan of three years. The ongoing maintenance of the mural will be the responsibility of the Hamilton Conservatory for the Arts.

**ALTERNATIVES FOR CONSIDERATION:**

This is a community-initiated project from the Hamilton Conservatory for the Arts. The organization did not recommend an alternate location.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial**

There are no associated costs for the City of Hamilton. Preparation, installation, maintenance and all associated costs will be covered by the Hamilton Conservatory for the Arts.

**Staffing**

Cultural Services Section staff will continue to provide support to the Hamilton Conservatory of the Arts in order to complete this project, in accordance with Corporate Policies and Procedures, outlined below. The Cultural Services Section will continue to provide technical advice in the form of recommendations, as to the condition of the mural, suggested repairs and the viability of the mural beyond its expected lifespan.

**Legal**

Legal Services is preparing a formal mural agreement between the Corporation and the Hamilton Conservatory for the Arts, which will include provisions for maintenance and monitoring.

**POLICIES AFFECTING PROPOSAL:**


The Commercial Advertising and Sponsorship Policy (May 2001) will be used to develop the value recognition piece to recognize any sponsors who have made any financial and/or service contributions to the creation of the mural.

The Road Occupancy Permit procedure will be used to obtain permission for the use of the sidewalk during the preparation and painting of the mural.
RELEVANT CONSULTATION:

As a part of the review process, outlined in the Art in Public Places Policy (1992), the conceptual drawing of the new mural was approved by the Arts Advisory Commission (AAC) for the City of Hamilton on Tuesday, September 27, 2005.

External consultation took place between Cultural Services Section staff, Councillor Bratina, Ward 2, representatives from the James Street South District - Street Beautification Committee, and the artist, Mr. Graham Muir. The James Street South District - Street Beautification Committee and the artist prepared a mural proposal (attached as Appendix D to Report CS06016). This document was used to prepare the project updates, dated January 31, 2006 and March 14, 2006, (attached as Appendices E and F to Report CS06016). These updates were circulated to the City staff, as listed below, whose comments have been incorporated into Report CS06016:

- City Manager
- Planning and Economic Development Department
- Community Services Department
- Corporate Services Department
- Public Works Department

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Arts, culture, archaeological and cultural heritage are supported and enhanced. Public Art as the fulfilment of the City of Hamilton's Mission, Vision, Values and Goals, Vision 2020, and the Parks, Culture and Recreation Master Plan.

Environmental Well-Being is enhanced. ☐ Yes ☑ No
Not applicable..

Economic Well-Being is enhanced. ☑ Yes ☐ No
Cultural industries are enhanced. Economic benefits of public art for James Street South business district and larger impact on the City's cultural tourism.

Does the option you are recommending create value across all three bottom lines? ☐ Yes ☑ No
Not applicable.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No
Not applicable.
# James Street South District Mural Project Outline

| Submitted by:                              | • Graham Muir, Artist |
|                                            | • James Street South District – Street Beautification Committee |
|                                            | • Hamilton Conservatory for the Arts |
|                                            | • POWERGROUP Communications |

| Date:                                      | March 8, 2006 |
| Last Update:                               | January 31, 2005 |
| Process Start Date:                        | Fall 2006 |
| Projected Start Date:                      | May 1, 2006 |
| Budget:                                    | $6000 |

## Project Name:
James Street South District Mural Project

## Budget:
Including provisions for surface preparation, insurance, and maintenance

### 1. Materials:
- Power washer rental for removal of old paint surface: 2 days at $94.00/day: $188.00
- Tremclad rust paint for sealing of metal fence above mural wall to prevent rust staining: $200.00
- Concrete and materials for patching small holes in wall surface: (approx.) $300.00
- Latex Primer for wall preparation: 6 gallons at $43.00/gal. $258.00
- Exterior Latex Paint: 10 gallons various mixed colours at 40.00/gallon: $400.00
- Brushes, rollers, paint trays, misc. painting materials: (approx.) $200.00
- Scaffolding rental, 14 days at $30.00/day: $420.00

### 2. Mural Conservation:
- Isolation coat: 3 gallons Golden soft gel gloss at $84.00/gal. $252.00
- Golden MSA Varnish: 3 gallons at $120.00/gal. $360.00
3. Labour, Artist Fee

Approx 21 days at 12.00/hr $2000.00

4. Insurance

(approx.) $400.00

5. Maintenance

(approx.) $1000.00

Total: $5978.00

(Approximate taxes included in price quoted)

6. Artist’s Budget Notes

This estimate is including the assumption that I can prepare the wall for painting myself using some more economical methods than the city might employ. Upon further inspection of the wall surface, I do not think this would be an unreasonable task.

7. Sponsorship

James Street South District is actively pursing and assuming the responsibility of the necessary funds for the mural, its insurance and maintenance.

Value recognition for the sponsors will be an important opportunity for securing sponsors. A dedication plaque affixed to the wall could form as sufficient recognition.

Proof of insurance:

HCA is working to secure private Insurance for the duration of the artist’s working hours. Proof of insurance will follow.

Mural Process:

1. Wall Preparation and Repair

The artist intends to undertake the preparation of the wall for painting, in light of economical and time constraint concerns.

- **Surface inspection:** I have had the wall surface inspected by an experienced and qualified expert in concrete pouring and repair and have received recommendations and assurances from him (which I judge to be accurate) that with his assistance repairs to the concrete surface of the wall can be achieved.

- **Removal of old surface coatings:** I have reassessed the viability and necessity of using sandblasting and/or power spray washing to remove flaking and extraneous materials. Given the logistical and environmental obstacles posed by these methods, and a re-assessment of the wall surface, I believe that a simple but thorough scraping of the wall to remove old material before priming would be more practical.

- **Concrete Repair:** I intend to repair the wall by removing areas of the concrete surface that are no longer adhered directly to the wall (approx. 10 square feet of area in total) and parging these areas, any cracks and any areas already fallen away from the wall with a new concrete mixture that is compatible with the existing surface. This stage will be assisted and guided by the above mentioned expert.

- **Metal Railing** The metal railing above the mural will need to be repainted with a corrosion resistant coating to prevent any further rust stains that are in evidence now from damaging the finished mural. If this is to be done by the artist further time and budget considerations must be accounted for.

- **Priming:** Once the wall has been thoroughly patched and repaired it will be primed with a high quality industrial grade latex primer that I have been assured by an experienced and
knowledgeable supplier will achieve an excellent level of bonding with all of the existing materials on the wall, essentially becoming part of the surface of the wall and binding and unifying all previous coatings. Tests of the product conducted by myself confirm the primer’s suitability.

Estimated time for this stage: 1 ½ weeks.

2. Mural Painting

- **Materials:** The materials to paint the mural will be simple exterior latex house paint. Use of a good quality exterior latex paint will work harmoniously with the primer coating and the final isolation coat, and are used very commonly by exterior muralists. They also have the advantage of being more economical than the acrylic paints chosen by some mural artists. As the paints are designed entirely for exterior use, they will have a good degree of resistance to light fading and will receive an additional layer of protection from the isolation coat and varnish coat.

- **Setup:** Initial setup of the mural will be accomplished through the “grid method” of drawing out square sections on the wall and the original design sketch to transfer the mural to its final scale on the prepared wall. Many artists use projection methods for this stage, but due to traffic conditions on James Street South and other challenges, this method would be unsuitable for this project.

- **Scaffolding:** Scaffolding will need to be rented by the artist to reach higher areas of the wall on its north end during preparation and painting stages. Arrangement for overnight storage of the scaffolding on or near the Conservatory’s property will need to be made if it is (most likely?) deemed unadvisable to leave scaffolding in place on the sidewalk overnight. If overnight storage is indeed necessary, the artist humbly requests assistants from personnel at the Conservatory if he cannot make his own personal arrangements. Note: would this be a safety or insurance concern? Further consultation on this issue will be needed.

- **Pedestrian traffic:** During most if not all stages of the mural preparation and painting, the section of the sidewalk below the wall will have to be denied to pedestrian traffic for safety reasons such as falling debris, wet paint and the use of scaffolding. As discussed in meeting with representatives of the City and James Street South, we have the advantage at this location of being able to re-route pedestrian traffic exclusively to the upper section of the sidewalk accessed by stairs on the north end of the wall near the railway overpass. Arrangements will need to be made by the city to this end.

Estimated time for this stage: 1-2 months * As a matter of history and practicality a project of this scope can never be guaranteed to be completed within projected time estimates, considerations such as weather, unforeseen challenges and personal time budgeting are all important factors, (as the artist presently has a full time job, time will need to be made after hours, on weekends and personal days which I have been assured can be negotiated with my employer who is in full support of my involvement with this project) Therefore ideally as discussed in meeting with the City and James Street south: 1 month, realistically and to avoid any problems with planned unveiling ceremonies, 2 months.

3. Mural Preservation:

Preservation of the mural will be accomplished through 3 primary methods:

- **Isolation Coat** - Once the painting is well dried a transparent isolation coat (Golden soft gell gloss) is applied to the entire mural surface. The function of the isolation coat is to physically isolate the paint from the removable varnish (which makes varnish removal much easier and safer to the paint surface). An isolation coat also develops a thicker layer of acrylic, which will give better protection and durability and serves to unify the underlying paint surface. This coat
is vital as it will protect the mural should it be marred by graffiti or other environmental
damage, as the graffiti paint can be removed by removing the top varnish coat (which it is
adhered to) and reapplying varnish in the effected area.

- **Varnish Coat** - After the isolation coat is applied and has thoroughly dried, Golden Mineral
  Spirit Acrylic (MSA) Varnish will be applied. The MSA Varnish w/ UVLS is an excellent choice
  as a protective finish. This product provides a tough, durable surface that increases resistance
to moisture and pollutants. The UV stabilizing system will serve to reduce the destructive
potential of ultraviolet radiation from the sun, and aid in protection from pollution and
corrosives, thus enhancing the life of the system. This varnish is removable in mineral spirits,
turpentine and various aromatic solvents, which is a useful property for either graffiti removal
or maintenance purposes.

- **Maintenance Program** – A maintenance agreement will need to be reached between the
  mural’s patrons and the artist to ensure the ongoing viability and appearance of the mural over
time. The maintenance fee for the artist to perform periodic touch ups or repairs due to
environmental or vandalism damage as needed was discussed in meeting with the City and
James Street South. A final figure will need to be written into the contract signed by all
concerned parties.

**Estimated time for this stage: 4 days,** (plus the hours to be determined for the maintenance
program)

4. Mural Lifespan

- Based on the preparation, execution and preservation methods outlined above, I would
conservatively and happily guarantee the reasonable continuation of the mural’s durability and
appearance for 2-3 years. My main concern is corrosion on the lower part of the mural from
winter salt and vehicle pollution. All possible preservation steps will be applied to the mural
with particular consideration to it’s bottom half for these reasons. Optimistically, I would
foresee that the mural will continue to endue for at least 5 years after completion in accordance
with the hopes and desires of all parties concerned.

5. Artist Contact Information

Graham Muir – Artist
Day: 905-574-7446
Eve: 905-545-3175
Email: gmuir3@coceo.ca

6. Value Recognition

James Street South would like to honour the patrons of the Mural, including the City of Hamilton logo,
with a dedication plaque that will be adhered to the wall surface.

7. Timeline

- The planning phase of the Mural officially began with the City of Hamilton Fall 2005
- The conceptual drawing was approved by the Arts Advisory Committee for the City of
  Hamilton in September 2005
- Communication with City Representative, Elizabeth Wakeford was ongoing from Fall 2005 to
  present
- A meeting with City officials, James Street South Representatives and the Artist occurred in
  February 2006
- James Street South Representatives work to secure funding for the project
• Provisions from the City, regarding street signage and rerouting were announced at a James Street South meeting on February 28, 2005
• Report from James Street South and the Artist forwarded to Elizabeth Wakeford on March 8, 2006
• Proof of Insurance will be provided by HCA and forwarded to Elizabeth Wakeford upon receipt
• Going to council for approval as soon as March 2006
• Contract with City Legal and James Street South is Ongoing
• Artist to begin the Mural Process May 2006
• Unveiling scheduled for June/July 2006
Project Update

Culture Section
Culture & Recreation Division
Public Health & Community Services

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<th>Elizabeth Wakeford</th>
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<td>Fall 2005</td>
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<td>Budget:</td>
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Project Name:

James Street South Mural Project

Project Description:

The Hamilton Conservatory for the Arts approached the City of Hamilton for assistance with the development of a mural on James Street South. The location is the retaining wall on the west side of James Street South, just south of the train tracks, and directly below the Conservatory (see attached photo). The Conservatory is seeking permission from the City to use the retaining wall for the installation of a temporary public art piece – a mural (see attached conceptual drawing). The Conservatory is not requesting funding, but only permission to use the space, and the expertise from the Culture section to make the arrangements for the mural.

Update:

The conceptual drawing of the proposed mural went to the Arts Advisory Commission (AAC) for the City of Hamilton on Tuesday, September 27, 2006 AAC. At the meeting, the AAC approved the conceptual drawing and gave support to the project.

Culture staff has contacted the Corporate Buildings & Real Estate to confirm that the property is owned by the City of Hamilton. Roads & Traffic, Operations & Maintenance, and Downtown Renewal, have also been advised of the project and any comments / concerns have been incorporated into the planning process. General concerns relate to issues of lifespan, and maintenance (e.g. – graffiti). These issues can be addressed in the contract between the municipality and the Conservatory. Copies of the conceptual drawing will be circulated to deal with
concerns about motorist distraction and visibility issues / sightline infringement. And finally, issues concerning surface preparation and materials will be addressed in the report from the Conservator.

A meeting is scheduled for Friday, February 10, 2006; with the City of Hamilton, the executive from the Conservatory, and interested parties from the James Street South business district. The Conservator for the City of Hamilton will have prepared a report for the material specifications of the project. The meeting will serve to confirm details and City staff will send a recommendation to Council. It is hoped that work will begin in the spring of 2006.

Background:

A temporary mural project has been undertaken on this property, at least once, before. Records from this project are not available.
Project Update

Culture Section
Culture & Recreation Division
Public Health & Community Services

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<th>Elizabeth Wakeford</th>
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Update:
The James Street South District has agreed to cover 100% of the cost for the mural including materials, labour, insurance and maintenance (approximate value - $5978.00) See attached report from the James Street South District for a complete breakdown of associated costs.

(a) The final design for the mural has received approval from the Arts Advisory Commission and will be circulated to the Director of Culture & Recreation, Culture and Recreation Management Team, General Manager for Community Services, City Management Team, the Community Services Standing Committee, and City Council as part of the approval process.

(b) The James Street South District has incorporated many of the recommendations contained in the Conservator’s report. The mural project outline from the James Street South District meets standards for preservation based on temporary lifespan of the mural.

(c) The James Street South District will provide proof of insurance according to the specifications outlined by the City’s Risk Management Department for Comprehensive General Liability insurance. The Certificate of Insurance will name the City of Hamilton as named insured that the policy is subject to cross liability and severability provisions.
(d) The James Street South District will complete a Road Occupancy Permit Application for the closure of the sidewalk during the preparation and painting of the mural.

(e) That the James Street South District will do minor repairs to the surface of the retaining wall to make it suitable for painting, as outlined in their report. This will be done to the satisfaction of the General Manager of Public Works.

(f) The mural patrons included in the value recognition piece will meet the corporate standards contained in the Commercial Advertising & Sponsorship policy.

(g) The mural is a temporary public art installation with a lifespan of 2 to 3 years, to be outlined in the Mural Agreement. The ongoing maintenance of the mural will be the responsibility of the James Street South District. The Legal Services Department is currently working on an agreement.

Background:

The conceptual drawing of the new mural went to the Arts Advisory Commission (AAC) for the City of Hamilton on Tuesday, September 27, 2006 AAC. At the meeting, the AAC approved the conceptual drawing and gave support to the project.

A temporary mural project has been undertaken on this property, at least once before. On May 10, 1994, Council approved a recommendation from the Transport and Environment Committee for the installation of a mural by the Native Indian / Inuit Photographers’ Association (N.I.P.A.).

This is a complete list of City Staff who have been contacted about the project. This final proposal has only been sent to the individuals listed in bold.

Bill Farkas – Manager, Development & Real Estate
Bob Bratina – Councillor, Ward 2
Charlene Hands-Lourie – Administrative Assistant, Capital Planning & Implementation
David Cuming – Senior Project Manager, Development & Real Estate
Donna Reid – Assistant, Ward 2
Gary Kirchknopf – Supervisor Community Traffic Services, Operations & Maintenance
Gerry Davis – Director, Capital Planning & Implementation
Hazel Milsome – Coordinator of Business Improvement Areas, Downtown Renewal
Janice Sumak – Administrative Assistant – Director, Downtown Renewal
Joanne Leung – Planner – Urban Design, Development & Real Estate
Jody Boyd – Risk Management & Insurance Coordinator, Budgets & Finance
Mark Kosiuk – Landscape Architect / Project Manager, Capital Planning & Implementation
Marlene Romanoski – Administrative Secretary, Roads & Traffic
Mike Cosentino – Signs and Markings Foreman, Operations & Maintenance
Nancy Wunderlich – Administrative Assistant, Operations & Maintenance
Nancy Clark – Administrative Assistant – General Manager, Public Works
Pat Celebre – Acting Superintendent, Operations & Maintenance
Rob Norman – Manager of Open Space Development, Capital Planning & Implementation
Ron Gallo – Supervisory of Signals and Systems, Operations & Maintenance
Ron Marini – Director, Downtown Renewal
Ron Sabo – Assistant City Solicitor, Legal Services & Corporate Council
Scott Stewart – General Manager, Public Works
Therese Charbonneau – Conservator, Culture & Recreation
Tim Tuck – Communications Officer, Communications
Tracey Powell – Administrative Secretary, Capital Planning & Implementation
Wray Oakes – Manager of Roads Operation & Maintenance, Operations & Maintenance