



**Request for City Council Committee Action
From the Department of Community Planning & Economic Development
and the Minneapolis Arts Commission**

Date: February 23, 2005

TO: Council Member Gary Schiff, Zoning and Planning Committee
Council Member Barbara Johnson, Ways and Means Committee

Prepared by Mary Altman, Public Arts Administrator, Phone 612-673-3006
Presenters in Committee Mary Altman, Public Arts Administrator

Approved by Barbara Sporlein, Director, Planning _____

Subject: Proposed Deaccession and Donation Ice Fountain Sculpture, *Northern Lights*, created by Carl Nesjar and Located on Nicollet Mall

RECOMMENDATION: Approve the deaccession of the Nesjar Ice Fountain to be donated to the City of Maplewood. Authorize the execution of a contract between the City of Minneapolis and City of Maplewood. Should the City of Maplewood withdraw their request for the sculpture, approve the sculpture's removal and storage.

Previous Directives: Phase II Public Art Policies, April 2004, Petn. # 269529

Financial Impact (Check those that apply)

- No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain):
- Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact <use any categories that apply>

- Ward:
- Neighborhood Notification:
- City Goals:
- Comprehensive Plan: 6.5, 6.6
- Zoning Code:
- Living Wage/Job Linkage:

Background

Northern Lights by Carl Nesjar was created as part of the renovation of Nicollet Mall in the early 1990's. For the most part, the artwork has not functioned correctly since installation, and the current site is inappropriate, as the artwork requires a larger pool to function. The spray from the fountain extends beyond the pool, and in the winter creates a risk to public safety. In its current state it operates with minimal water flow in the summer and without water or ice in the winter. The basin that contains the sculpture is a convenient place for mall users to dispose of their trash, which is a public eyesore. Because the fountain does not operate correctly, no public attachment seems to have developed around it. Although Nesjar's vision is engaging, repair and ongoing maintenance for the fountain would be an extreme burden to the City and the property owners who are assessed along Nicollet Mall. The artwork was commissioned for \$350,000, but it will probably cost more than this amount to move, re-plumb and reinstall in a new location.

For the above reasons, last fall, the Nicollet Mall Advisory Board submitted a request to the Minneapolis Arts Commission to remove the Nesjar Fountain. At that time, the Arts Commission requested the Mall Board try to locate a suitable donor for the artwork. The Mall Board offered the Fountain to the Minneapolis Public Schools, Minneapolis Parks and Recreation Board, Library Board and several local museums. None expressed interest. They also offered it to several other local municipalities and received inquiries from over a dozen. The Board then created an application process for the artwork, and the City of Maplewood, the sole applicant, submitted a strong proposal to relocate the sculpture to Legacy Village Sculpture Park. (See attached.)

The Arts Commission supports donating the artwork to the City of Maplewood for several reasons: The site is publicly accessible, there is no storage proposed, they are not proposing to modify the artwork and they are willing to work with the City of Minneapolis to select an their consultants. In addition, they are open to working with the artist on the relocation.

The Public Arts Administrator has been in contact with the artist, Carl Nesjar, who lives in Norway, and he is very excited about the prospect of having the Fountain relocated to a place where it can correctly operate and has expressed interest in working with the recipient.

Attachments:

City of Maplewood Application

Proposal for Deaccession from Nicollet Mall Advisory Board (Proposal is from October 2004)

Photo of Artwork

2002 Art Conservator Condition Survey.



December 27, 2004

Mr. Michael McLaughlin
Minneapolis Downtown Council
81 S. 9th Street, Suite 260
Minneapolis, MN 55402

Dear Mr. McLaughlin:

Enclosed is a variety of material that encompasses the city of Maplewood's formal application for the Carl Nesjar fountain sculpture entitled "Northern Lights."

The city of Maplewood has acquired and developed an 11-acre site entitled Legacy Village sculpture park. The new outdoor sculpture garden is part of a larger planned unit development project being developed by Hartford Development Companies. The planned unit development includes single-family homes, town homes, rental property, restaurants, commercial and industrial properties including Ashley Furniture, a corporate site, a neighborhood park and senior housing. The project is currently under construction with approximately 30 percent currently developed and the site is scheduled for total build out in the next three years.

The outdoor sculpture garden is a focal point for not only the development, but the city of Maplewood and the greater metropolitan area as well.

Enclosed is a series of staff reports outlining the progress of Legacy Village sculpture park up to and including a resolution unanimously approved by the city council on December 13, 2004, endorsing and supporting the city's application for the "Northern Lights" fountain. As the photo disk reveals, the outdoor sculpture garden is an extremely well-designed and constructed facility including an outdoor pergola, formal gardens, floating boardwalk, bridges, water fountains and bench seating areas. In the spring of 2005, phase two of the sculpture garden will be concluded including extensive landscaping (see enclosed) to be completed by Rum River Tree Farm Inc.

The city of Maplewood and the Legacy Village sculpture garden is an ideal final resting place for the Carl Nesjar fountain. Being a northern suburb, Maplewood provides an ideal natural setting for the "Northern Lights" sculpture. Acquisition of a sculpture with national prominence would only bring tremendous publicity and immediate credibility to the Legacy Village sculpture garden.

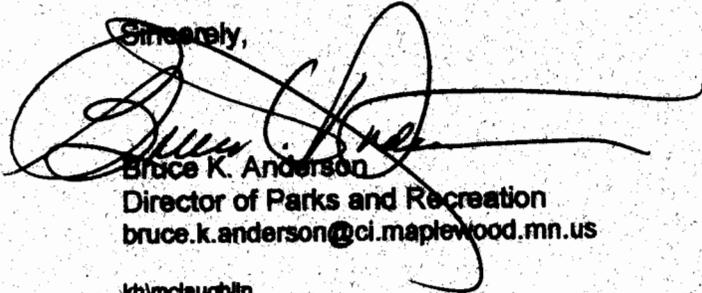
On behalf of the Maplewood city council, I look forward to reviewing and/or clarifying any of the enclosed information and would welcome the opportunity to not only meet, but possibly provide you with a guided tour of the Legacy sculpture garden at your convenience.

Mr. Michael McLaughlin
December 27, 2004
Page 2

In conclusion, the city of Maplewood would be honored to receive the "Northern Lights" sculpture. We recognize that this piece would become the "cherry and spoon" if you will of the new, emerging Minneapolis sculpture garden of the north.

Should you have any questions, please contact me directly at (651) 249-2102.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Bruce K. Anderson". The signature is written over the typed name and title.

Bruce K. Anderson
Director of Parks and Recreation
bruce.k.anderson@ci.maplewood.mn.us

kh/mclaughlin
Enclosures

Application for Carl Nesjar Fountain "Northern Lights"

Please fill out this application and send, with all requested attachments, to Michael McLaughlin, Downtown Council, 81 S 9th St, Suite 260, Minneapolis, MN 55402, or via email michaelm@dtwnmpls.com

*** APPLICATION DUE 1/15/05 ***

Profile of Applicant

(Please include the information below for all organizations involved:

Name of group, organization, City department or board: City of Maplewood

Contact person: Bruce K. Anderson, Maplewood Parks & Recreation Director

Work phone: (651) 249-2102

Home phone: (651) 482-0614

Cell phone: (651) 338-7012

Fax: (651) 249-2009

Email: bruce.k.anderson@ci.maplewood.mn.us

Address (include city, state, zip): 1830 County Road B East

Date form completed: 12/14/04

Authorized signature approving request:



Name and title of authorized person (attach minutes documenting any official action by the group, organization, department or board):

Site Information:

Where is the fountain to be located? Legacy Village Sculpture Garden

Is the site publicly accessible, and if so, what are the hours it is available to the public?

Yes, the site is not only publically accessible, but 100% handicapped accessible. The site will be open 24/7 - 365 days/year, no admission or restrictions.

Is this site currently under development or are there future plans to develop it, and if so, what are these plans?

See attached.

Please submit a photo of the proposed site, and a site plan if available.

See attached.

Schedule:

What is the proposed timeline for installation?

As soon as available, we will drop what we are doing and immediately commence the installation process.

Will the piece be stored for any length of time? If so, please indicate storage site.

Installed immediately - no storage proposed.

Installation Criteria:

Will the proposed installation be similar to the current installation? Are any modifications to the artwork required?

No modifications to artwork are proposed. We would like to determine feasibility of installing sculpture in one of the man-made ponds. If not feasible, a similar installation to existing will be provided.

What is the size of the proposed pool and what materials will the pool be made of?

The four ponds vary from .1 acre to .5 acre in size.

Who will be installing the artwork and what are their credentials?

We will work with the Downtown Council to select installer who is either your preferred firm or individual.

Maintenance:

Who will be responsible for maintaining the artwork?

The city of Maplewood park maintenance staff and additional outside licensed contractors when applicable.

Official Action:

Please attach minutes from your city council stating intent to take the fountain, including a budget and a commitment of funding to reinstall the piece.

See attached.

Selection Criteria

In the event of 2 or more applications, the following selection criteria will be used by the Minneapolis Arts Commission to evaluate your application.

1. Stimulate Excellence in Urban Design and Public Arts:

Does the site provide an opportunity to make an engaging or bold artistic statement?

2. Enhance Community Identity and Place:

Is the proposed site and surrounding area an appropriate context for the artwork?

Are there opportunities within the site/project to integrate this artwork into the overall site design?

3. Contribute to Community Vitality:

Will the site be visible to and attract visitors and residents?

4. Value Artists and Artistic Processes:

Does the proposed project support the integrity of the artwork and the artist's original intent?

Will the work be stored and if so, are the storage conditions appropriate?

5. Use Resources Wisely:

Are the conditions at the proposed site stable enough to support an artwork for several years or is the site expected to undergo significant changes in the future?

RESOLUTION

RESOLUTION ENDORSING AND SUPPORTING THE ACQUISITION OF THE NORTHERN LIGHTS SCULPTURE by Carl Nesjar for relocation to Legacy Village sculpture park, Maplewood, Minnesota.

WHEREAS, the city of Maplewood has acquired and developed an 11-acre, outdoor sculpture garden entitled Legacy Village sculpture park; and

WHEREAS, the sculpture park is located as part of a major, 80-acre subdivision that includes senior housing, owner occupied and rental townhouses, commercial business and restaurant properties, and

WHEREAS, Legacy Village development is located adjacent to the regional Maplewood Mall shopping center; and

WHEREAS, the Legacy Village development serves not only a local, but a regional population base; and

WHEREAS, the Legacy Village sculpture park is scheduled to open to the public May 1, 2005; and

WHEREAS, the Legacy Village sculpture park will provide 24 to 30 sculpture pieces of which approximately 1/3 will be permanent sculptures; and

WHEREAS, the city of Maplewood envisions that the Legacy Village sculpture garden will host not only a local, but also a regional and potentially national and international base of sculptures and public interest; and

WHEREAS, the city of Maplewood desires to acquire one major piece that would serve as the focal point for the Legacy Village sculpture park.

NOW, THEREFORE, be it resolved that the city of Maplewood hereby endorses the acquisition of the Northern Lights sculpture piece by Carl Nesjar; and

FURTHERMORE, that the Northern Lights sculpture piece will serve as the central focal point with viewing areas from the already completed pergola; and

WHEREAS, the city of Maplewood has adequate funds to relocate the sculpture piece.

NOW, THEREFORE, be it resolved that the city council hereby endorses the grant submittal for the Northern Lights sculpture piece, adopted this 13th day of December, 2004.



SIGNED

MAYOR

December 20, 2004

Date



ATTEST

12/20/04

Date

MEMORANDUM

TO: Planning Commission

FROM: Bruce K. Anderson, Director of Parks and Recreation

DATE: January 9 for the January 20, 2004 Planning Commission Meeting

SUBJECT: Legacy Village Park

Introduction

Legacy Village is an 80-acre planned unit development project located west of Maplewood Mall between County D and Beam Avenue. This is a significant development project and includes residential, both rental and owner occupied, corporate center, senior citizen complex, restaurant, and commercial properties. As part of the planned unit development process, the city received a 10-acre site with the primary purpose of storm water holding ponds to serve the development. In addition, the city will be receiving between \$1.3-\$1.6 million in park dedication fee.

Background

Legacy Village development has been in planning for the past three years. The final plat was signed the last week of December and construction on infrastructure as well as approval of the first residential development occurred in late December.

The parks and recreation commission's and staff's position on park development in this area has been to pursue cash dedication. This decision was based on the fact that each of the internal developments was going to meet their own individual recreation needs and a major athletic park or neighborhood park did not fit well into the overall planning process.

After visiting neighborhood park systems and rethinking the 10-acre dedicated park, I have taken the initiative to pursue development of a passive art/sculpture park for the 10-acre wetland area.

This project has come about fairly quickly, as it would need to be developed as part of the infrastructure, particularly street and utility construction along Legacy Parkway, Southlawn and County Road D which is scheduled for construction in the spring/summer of 2004.

We have worked closely with the public works department and specifically, the engineering consultants to reconfigure the ponds and existing wetlands to accommodate some passive recreation and in particular, an interior trail system.

The concept for Legacy Village park is to develop an internal trail system, a floating boardwalk, and rest areas while still maintaining the integrity of the wetlands and proposed storm sewer ponds. Significant reconfiguration of the storm water holding ponds and the use of culverts and weir structures has allowed us the opportunity to develop a trail system along the high ground area and still preserve some of the existing trees.

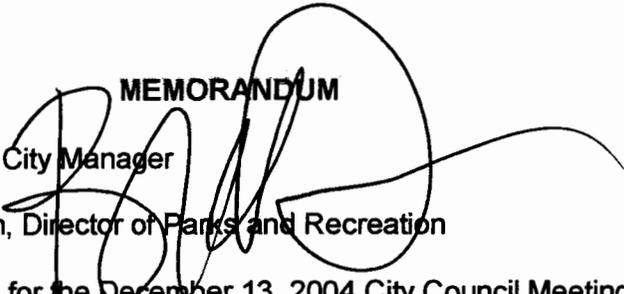
I have enclosed four renderings including a master plan, arbor area enlargement plan and two views of the arbor area to give you some idea of how this site might come together. In addition, I have included a cost estimate of approximately \$500,000.

Staff will review these plans in more detail at Tuesday's meeting, along with the long-range vision as to how this site could come together. Staff believes that this could be a perfect opportunity for public/private partnerships and expansion of the city's ornamentation and art areas within the city's park system.

Recommendation

Staff is looking for conceptual approval for Legacy Village park. I recognize that this is coming at the planning commission rather quickly, which is due to the tight time frame driven by the construction of Legacy Parkway this spring. Staff will be reviewing these details in greater depth at Tuesday's meeting.

kd\legacy village park2.parks-open space.mem
Enclosures


MEMORANDUM

TO: Richard Fursman, City Manager

FROM: Bruce K. Anderson, Director of Parks and Recreation

DATE: December 6, 2004 for the December 13, 2004 City Council Meeting

SUBJECT: Legacy Village Sculpture Park/Acquisition of Public Sculpture and Ice Fountain Entitled "Northern Lights"

Introduction

Legacy Village sculpture park is an 11-acre site located southwest of Legacy Parkway and Southlawn Avenue. The 11-acre site is being completed in two phases with the hardscape phase approximately 95% complete and the landscaping to be installed in the spring of 2005. The sculpture park has generated a great deal of excitement within the community. The parks and recreation commission has hosted a series of public meetings to develop a policy for acquisition of permanent works of art.

The site has the potential to host 24 to 30 sculptures depending on the size, with 1/3 being 8 to 10 permanent pieces and the others rotated on a regular basis.

Background

The Maplewood city council awarded bids for phase one construction of Legacy Village sculpture park in May 2004. The past five months have brought about the completion of the hardscape including the construction of the pergola, benches, rough grading, bridges, a floating boardwalk, ornamental lighting and fences. The project has received a good deal of public comment for the city and an overall, positive reaction.

Mayor Robert Cardinal received a letter from the Nicollet Mall advisory board on October 18 indicating that they would be decommissioning an ice fountain sculpture entitled "Northern Lights" by Carl Nesjar. Carl Nesjar is an internationally known Norwegian artist who is acclaimed as a painter, designer, photographer and sculptor. He did collaborative work with Pablo Picasso from 1957 to 1975 and was commissioned to construct a public sculpture for the Nicollet Mall in 1991.

The work is composed of four geometric sculptural units consisting of curving rows of upright stainless steel square tubing. The sculpture is designed to have both fountain jets and misters near the top of the vertical forms. The sculpture currently does not work on the Nicollet Mall and is being made available to communities at no cost with the exception of relocation and installation.

At this time I do not have an estimate on the transportation/relocation cost, but would estimate it to be \$5,000 to \$10,000.

Staff has been in continuous contact with the Nicollet Mall advisory board and is excited about the potential of the sculpture being located at the new Legacy Village sculpture garden. One could argue that this could serve as not only the center piece of the Legacy Village sculpture garden, but also provide tremendous publicity and promotion for our new public sculpture garden.

An application is currently being completed by staff, which is due January 15, 2005. One of the components is support from the city council should we be selected to receive this piece.

Attached is a copy of a resolution authorizing staff to pursue the acquisition of the sculpture piece with the understanding that funds would need to be allocated from the parks and recreation department budget once they are known in 2005.

Recommendation

Staff recommends that the city council adopt the enclosed resolution supporting staff's application process for possible acquisition of the public sculpture and ice fountain entitled "Northern Lights" by Carl Nesjar.

kh\sculpture-northern lights.legacy village.parks.mem
Enclosure

Proposal for Relocation or Deaccession of a Public Art Work

To the Minneapolis Arts Commission and City of Minneapolis

Directions: Work closely with the City's Public Arts Administrator to complete this form and plan the deaccession or removal of an artwork. We suggest you submit a draft to the Public Arts Administrator for review and comment, and make any necessary revisions, prior to submitting your final completed proposal. The Public Arts Administrator will also provide you with a copy of the City's policies for Deaccession and Removal and an estimated schedule for review of your request by the Public Art Advisory Panel, Minneapolis Arts Commission and Minneapolis City Council. Note: This review process can take several months.

Check all [] that apply.

1 Profile of Applicant

(Please include the information below for all organizations involved:

- 1.1. Name of group, organization, City department or board: Nicollet Mall Advisory Board
- 1.2. Contact person: Michael McLaughlin
- 1.3. Work phone: 612 338 3807
- 1.4. Home phone:
- 1.5. Cell phone:
- 1.6. Fax: 612 338 0634
- 1.7. Email: michaelm@dtwnmpls.com
- 1.8. Address (include city, state, zip): c/o The Downtown Council, 81 S 9th Street, Minneapolis, MN 55402
- 1.9. Date form completed: 5/1/04
- 1.10. Authorized signature approving request:
- 1.11. Name and title of authorized person (attach minutes documenting any official action by the group, organization, department or board): Robert Greenberg, Chairman, Nicollet Mall Advisory Board

Attachments: (Check all that are included)

- Minutes documenting official actions
- Images of the artwork (attached)
- Monetary appraisal of the artwork
- Condition assessment of the artwork (attached)
- Articles about the artwork
- Biographical information about the artist(s) (information on Buffalo Fountain attached)
- Artist(s) contracts, waivers or relevant legal information [M. Altman has a request into Contract's for copies of these.
- Letters of support from the artist(s) or their family(ies)

- Letters of support from the community or other stakeholders
- Itemized budget

2. Profile of Artwork

Attach photographic and other documentation relevant to the artwork's location, value and current condition. If available, please also attach any biographical information relating to the artist, contracts with the artist, or any published material relevant to the artwork.

- 2.1. Title of artwork: *Northern Lights, Ice Fountain*
- 2.2. Artwork type: Bench, Gateway, Manhole Cover, Mural, Commemorative Statue, Integrated into Site, Other, please list: Fountain
- 2.3. Medium and materials: Stainless steel, plumbing
- 2.4. Date created: 1991
- 2.5. Date obtained by City: 1991
- 2.6. How obtained: Commission, Gift, Purchase, Other, please list:
- 2.7. Dimensions: (height x width x depth): Fountain 15' x 26'. Art elements 8' high. Granite surround 15" wide, pit 20" deep.
- 2.8. Address of current location: Nicollet Mall, east side, between 5th and 6th Streets
- 2.9. Property owner: City of Minneapolis
- 2.10. City Ward: 7
- 2.11. Status: On Display, In Storage
- 2.12. Life Span: Temporary-up to 5 years, Midspan-up to 15 years, Long term-up to 50 years, Permanent or site integrated- part of site/structure and cannot be removed, without being destroyed, No lifespan assigned.
- 2.13. Condition: Mint, Excellent, Good, Poor, Damaged
- 2.14. Is there an existing plaque for the artwork? Yes, No
- 2.15. Estimated value of artwork: unknown Cost: \$350,000
- 2.16. Annual maintenance cost: \$ unknown
- 2.17. Who is responsible for maintenance? Art in Public Places, Department of Public Works, Service District, Other, please list:
- 2.18. Fixed asset #: 9707P0000000023
- 2.19. Overall description: Four geometric sculptural units within an enclosed black granite bench surround. Curving rows of stainless steel square tubing are set upright within this surround. The sculpture is designed to have both fountain jets and misters near the top of the vertical forms. These are to operate year round with bubblers and jets in the summer, and a separate winter operation with only misters that develop fantastic ice formations. Lights in the basin of the pool are designed to illuminate the sculpture and ice forms.

2.20. History of the artwork:

3. Profile of Artist

(Please include the information below for all artists involved)

- 3.1. Name: Carl Nesjar
- 3.2. Deceased Yes, No, Unknown
- 3.3. Work phone:
- 3.4. Home phone:
- 3.5. Cell phone:
- 3.6. Fax:
- 3.7. Email:
- 3.8. Address (include City, State, Zip):
- 3.9. Have you contacted the artist(s) or their family(ies)? Yes, No
- 3.10. Do they support your proposal? Yes, No (If so, attach a letter of support.)
- 3.11. Do you have any information about the artist's legal rights or copyrights? Yes, No If so, please describe or attach contracts, waivers or other relevant legal information. (M. Altman is seeking copies of these contracts from Lee Larson.)

4. Proposed Deaccession or Relocation

Are you proposing to?

- 4.1. **Remove the Artwork**
 - 4.1.1 Relocate the artwork to a new site or Store the artwork
 - 4.1.2 Where? Address:
 - 4.1.3 Property owner: Ward: _____
 - 4.1.4 Please describe details:

4.2. [X] Deaccess the Artwork

4.2.1 If so, are you proposing to [] Sell, [] Donate, [X] Destroy, [] Recreate in a new form.

4.2.2 Please describe details:

City forces will remove the plumbing and stainless steel piping, and convert the granite bench surround into a planter.

4.2.3 Are any modifications to the artwork necessary, if so, what? (Include modifications to lighting and/or bases.) See above

4.3. What is the estimated cost to dismantle, repair, store and/or relocate the artwork? (Please attach an itemized budget.): \$ See Attached budget.

4.4. Who do you propose provide the funding necessary to cover these expenses? (Include a description of any impact that might occur on the City's budget.) City funds

What other stipulations or conditions, if any, are you requesting as part of this proposal?
Public Works to pay to disassemble the fountain, remove and discard the art elements, and convert the remaining structure to a planter.

4.5. What is the proposed timeline for this deaccession or removal?

July – August 2004

4.6. Who are the personnel who will be involved in the deaccession, removal, storing, reinstallation and restoration of the artwork? (Please list all involved subcontractors and their qualifications.) Has an art conservator been involved?

Kristin Cheronis, art conservator, has done an assessment of the artwork.
Disassembly, removal of art elements, and conversion to planter will be done by city forces or vendors.

5. Rationale

Please describe your reasons for recommending deaccession or removal based on each of the six criteria below. (Refer to the Deaccession and Removal Policies for Specific Examples)

5.1. Stimulate Excellence in Urban Design and Public Arts

This artwork is of inferior quality in concept and construction. Components of the fountain broke within one year of installation, and the misting jets sprayed the sidewalk, causing serious ice hazards. Thus, the piece never functioned properly. Necessary plumbing changes to the piece have had a result that was not the artist's original intent.

5.2. Enhance Community Identity and Place

This artwork is incompatible with the current site design. It is located on the sidewalk, in a heavily trafficked area of town. Ice buildup in this location presents a hazard to people walking down the street. Access to plumbing elements is difficult, resulting in excessive maintenance costs.

5.3. Involve a Broad Range of People and Communities

Members of the Nicollet Mall Advisory Board and adjacent property owners (who are not only charged with maintaining its appearance, but also preventing illegal behavior from occurring in the empty fountain) are united in their support for the removal of the piece.

5.4. Contribute to Community Vitality

The artwork is unsafe when operated in the winter, as it creates excessive ice on the sidewalk area. Maintenance of the piece as a summer fountain is expensive and difficult.

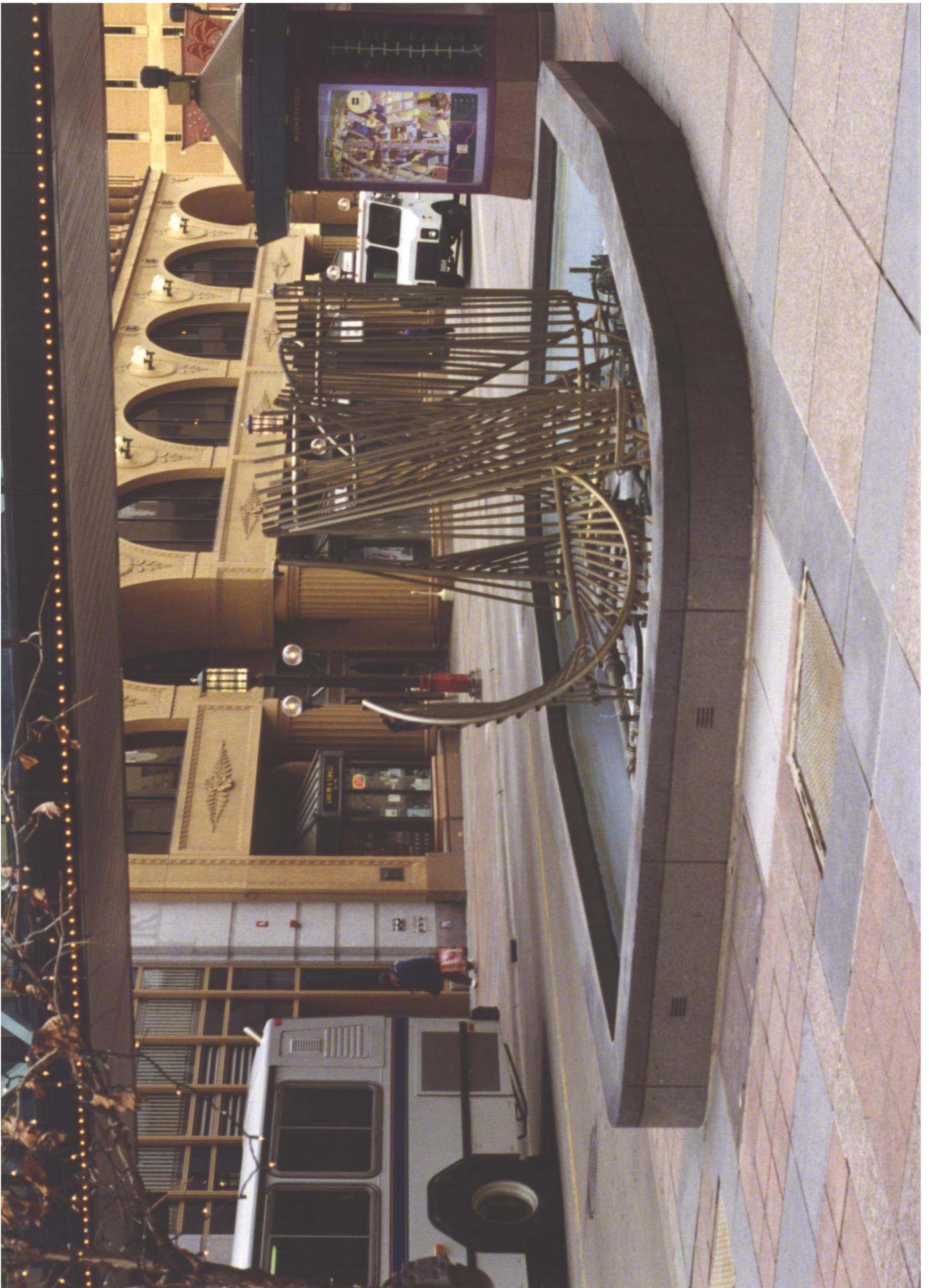
5.5. Value Artists and Artistic Processes

The original artistic integrity of the artwork cannot be maintained. The intent was for this fountain to operate in winter, and create fantastic ice forms. Due to safety hazards, it cannot be run in winter. Necessary repairs have brought unsightly plumbing components into the public view, which was not the artist's original intent.

5.6. Use Resources Wisely

This artwork requires excessive cost to maintain, as plumbing access is limited. Repair has been estimated at \$78,500, but these repairs do not address the ice hazards. Design and workmanship are flawed, resulting in corrosion and inability to run as intended.





BUDGET ESTIMATE TO CONVERT NESJAR FOUNTAIN TO A PLANTER

ITEM	EST COST
Cut, remove and dispose of steel forms	\$ 500.00
Disconnect and cap plumbing	\$ 1,500.00
Run electrical wiring for new time clock	\$ 195.00
Install new time clock	\$ 750.00
Connect existing hose bib to planter	\$ 500.00
Run irrigation within planter	\$ 1,000.00
Deliver and install sand	\$ 1,000.00
Deliver and install Topsoil	\$ 1,000.00
Startup and testing	\$ 500.00
	\$ 6,945.00

KRISTIN CHERONIS

2858 Arthur St. NE. Minneapolis, MN 55418 612-788-5585

Public Art Work Condition Survey

Client: City of Minneapolis

Title: NORTHERN LIGHTS, Ice Fountain

Treatment Priority: 1

Maintenance Priority: 2

Artist: Carl Nesjar

Date of fabrication: 1991

Date of installation: 1992

Location: On Nicollet Mall, between 5th and 6th Streets.

Date of examination: March 7, 2002

Conservator: Kristin Cheronis

Description: There are four, geometric, sculptural units within the enclosed black granite bench/wall surround. Curving rows of stainless steel square tubing are set upright within the fountain basin. The sculpture is designed to have both fountain jets and also misters near the top of the vertical forms. The fountain was designed to operate year round, with bubblers and jets in the summer, and a separate winter operation with only misters that develop fantastic ice formations. Lights in the basin of the pool are designed to illuminate the sculpture and ice forms.

Materials/Fabrication:

Sculpture: Hollow, square, stainless steel tubing has been welded to hollow, round stainless steel tubing. The vertical square-profile elements are attached to the horizontal, curved round-profile elements. The plumbing, jets and misters are all visible above ground and appear to be made of mild steel, copper alloys, aluminum, rubber and brass. The light fixtures are made from, glass and brass.

Surround: The black granite basin surround also serves as a bench. It appears to be made from slabs of granite attached to a cast concrete substrate, with a cap of horizontal slabs of granite. Traditional masonry joining techniques appear to have been used.

Summary of Condition: The sculpture is in fair to poor condition. The steel is suffering from extensive corrosion. The design of the sculpture has been radically altered from its original installation design and from its intended operation in the winter as an ice-fountain.

Condition:

Structure: The sculpture/fountain has some serious structural problems. It is reported that not long after installation, the fountain plumbing developed a serious leak underground. It was then discovered that there was no proper access to the plumbing works of the

fountain below ground. There was no way to access the works without removing the fountain and the basin (a serious design flaw.) Therefore, the Public Works Department installed a whole new set of plumbing works above ground, inside the basin of the fountain. They successfully dealt with solving the underground leak, but now the densely busy plumbing works are all quite visible within the fountain. The plumbing is dark, noticeable and disfiguring. It competes with the sculptural forms for attention, and creates a messy, busy mechanical look. The current appearance is significantly different from the artists original intent.

Ray Haynus of Public Works recalls that the first winter that the sculpture operated, the misters and plumbing kept freezing up and failing. The Public Works crew attempted to fix the misters several times and then concluded that the fountain works simply would not operate well in the winter, so they stopped operating it in the winter. Since the first winter, it has never been an ice fountain as it was intended to be. There is no record that anyone has ever contacted the artist or fountain fabricators.

There are several welding holes in the tubular steel, and several areas where corrosion has thinned small areas of the steel.

Surface: The surface of the stainless steel has corroded quite extensively, leading me to believe that it is 304 stainless, and that manufacturing methods were less than ideal. (If the chromium oxide layer on the stainless is disturbed during fabrication, a re-passivation process must take place to re-oxidize and protect the stainless. If this process is skipped, and the sculpture is installed in a corrosive urban environment before the stainless has a chance to naturally re-develop the chromium oxide layer, you will often see corrosion develop.) Many of the hollow, square stainless steel tubes are irregularly corroded in a splotchy pattern, and most of the rest are corroded to an even, rusty brown overall. The corrosion is worse at and around the welds. The corrosion is quite disfiguring, and was certainly not the artist's original intent.

The mild steel fittings on the plumbing are corroding heavily and severely. Most are flaking, and some have rusted completely through. The fact that the mild steel is submerged in chlorinated water with other copper-alloy fittings and fixtures is causing electrolytic or galvanic corrosion, and the mild steel is selectively corroding away at a rapid rate. The copper alloy fixtures are also corroding to a moderate degree as evidenced by the powdery blue corrosion products on the surface of the metal.

There are several broken, detached hoses. The fountain was not viewed while operating, so it is unknown whether all of the plumbing, jets and misters are working properly. Most of the lighting canisters were lying on their sides; it does not appear that these are anchored or secured to the bottom of the basin. It is also not known if these are set up according to the artist's original conception or plan for illumination. The lights are apparently not used during the winter since the fountain is not operating.

All elements of the fountain have a moderate to heavy layer of dust, grime and accretions. There are many cigarette butts within the fountain.

Surround: The granite bench/basin-surround is in fair condition. There are hundreds of edge spalls from skateboarders; so many that the entire outer, upper edge has a nibbled appearance. There are several large losses, presumably also due to skateboarders.

Plaque: The plaque was detached and sitting loosely near the fountain in a misaligned orientation. I removed it and gave it to the OCA. The plaque is corroded to a light green color from street salt. It has grime, soil and accretions on the surface.

Treatment Recommendations:

It is not possible to make treatment recommendations until some further research is undertaken and until some decisions are made regarding the desired appearance and operation of the fountain. A concerted attempt should be made to locate the artist. (It was reported that Bob Cost? Of BRW knew the artist fairly well, so that is another avenue to try.) I recommend that someone undertake a little research into the original intended appearance of the fountain. Some original photographs or slides must be located (check the Library, the Star and Tribune archives, the Nicollet Mall Archives, the artist's archives, etc). More research on the operation of the fountain should also be undertaken, especially in regards to the winter operation of the ice-fountain. Someone should investigate the steps and costs involved in hiding the plumbing works, as they were originally intended to be; not visible, yet easily accessible. It is estimated that the research involved in pulling all of the information and bids together would take approximately 2 days, and that preparing a plan/proposal would take another ½ day.

A panel should be formed including the Public Art Administrator, someone from the Nicollet Mall Advisory group, someone from Public Works, the Artist (if he can be located), and a conservator. The panel should meet to discuss whether the current installation is acceptable; whether it is so far removed from the artist's original intent in appearance and operation that it should just be removed; or whether very considerable funds should be invested to re-do the fountain works below ground and to re-engineer the plumbing so that it operates properly in the winter.

Note: Greg Stokes of Commercial Aquatics (952-445-5135) is an important resource. He helped to design the original system, is knowledgeable about the history of this fountain, and is very interested in getting the fountain operational again. He stated that he could keep costs very low in doing the repairs, and he had some good ideas about installing a false floor to hide the plumbing, as opposed to removing and re-casting the basin, etc. He should be consulted during the research process.

None can be determined until further research has been undertaken and a course of action has been determined.

Estimate of time for necessary further research and investigation: 2-3 days.

Past Maintenance Practices or Treatment: The fountain has been regularly maintained. In addition to moving the plumbing works above ground and keeping the plumbing maintained, the Public Works crew under Ray Haynus's supervision does regular cleaning. A pressure washer and mild detergent are used to clean the sculptures and basin every week during the summer months.

Maintenance Recommendations:

After conservation treatment has been proposed and completed:

Training: Detailed written guidelines for routine care should be prepared by a conservator and provided to the City. If it is determined that a trained city employee will be conducting routine maintenance, a materials supply list should be provided, and a hands-on training session should follow.

Follow general procedures for Annual Maintenance: Inspect artwork for condition problems. Maintain notebook. Record notes from annual inspection. Record maintenance procedures. Photograph every other year. If the artwork is maintained by conservator-trained city personnel, it should be examined by a conservator every third year, or as needed for interim problems.

Additional procedures for Annual Maintenance: To be determined after further research.

Appropriate Personnel: Conservator or skilled, conservator-trained city employee.

Time required annually: To be determined after further research.

Time of year for maintenance: Spring

Supplies: To be determined after further research.

Equipment: To be determined after further research.

Approximate cost for local conservator to perform annual maintenance: To be determined after further research.

Long Term Prognosis and Need for Periodic Treatment: To be determined after further research.

Date of report: March 9, 2002



April 28, 2002

Christine Cheronis
2858 Arthur Street NE
Minneapolis, MN 55418

RE: Nesjar Ice Fountain, Nicollet Mall – Minneapolis, MN

Dear Christine:

I've visited the Nesjar Ice Fountain feature on Nicollet Mall and below is a quick summary of what some initial thoughts are for the redevelopment of this incredible feature.

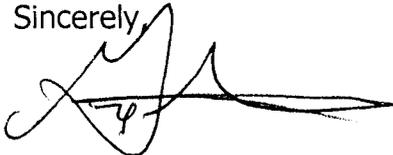
1. The feature pool structure is in good shape and needs little renovation to return to good condition.
2. The Stainless steel sculpture is in good shape and needs only buffing to eliminate some of the surface rust.
3. The feature plumbing system (I was not able to review the equipment vault) needs the most work; I would recommend a total renovation of this system. It is my opinion from plan review that the system could be simplified as follows.
 - a. Replace existing summer mode equipment system with new higher efficient pumping system and eliminate complicated summer / winter operation system.
 - b. In lieu of automated winter mode water ice formation system, retrofit manual water supply for icing, winter mode.
 - c. Replumb all lines from existing underground equipment housing to summer and winter element displays. This work would be based on plumbing all lines on top of existing concrete pool slab.
 - d. Install a false pool floor, or rock filled basin or pour a new concrete pool floor after replace piping is installed within old pool structure to hide plumbing.
4. Replace and upgrade all electrical system and underwater lighting for feature.

A very rough budgetary estimate for this renovation would be as follows:

Design, engineering and consulting services:	\$ 10,000.00
Installation of all new fountain mechanical system:	\$ 35,000.00
Installation of new fountain lights and electrical components:	\$ 18,000.00
Installation of rock filled pool to hide pipes:	\$ 5,000.00
Repainting fountain pool black color:	\$ 5,000.00
New system startup and balancing:	\$ 1,500.00
System operation instruction and maintenance manuals:	\$ 1,500.00
First year winterization and spring startup services:	\$ 2,500.00
<i>Total Budgetary Cost:</i>	<i>\$78,500.00</i>

Commercial Aquatic Engineering would like to be apart of revitalizing this dramatic and historic water element. Please do not hesitate to call me or to schedule an appointment to go over further details of this feature.

Sincerely,



Greg Stoks
Principal