



# Exhibition Place

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## Item No. 11

November 24, 2014

To: The Board of Governors of Exhibition Place

From: Dianne Young, Chief Executive Officer

**FOR INFORMATION**

Subject: **Garden of the Greek Gods Update**

### Summary:

This report provides further information as requested by the Board specifically with respect to the Garden of the Greek Gods sculptures ("Greek Gods").

### Financial Impact:

There are no financial implications to this report.

### Decision History:

At its meeting of April 25, 2003, the Board approved of the terms of the Lease with Muzik which was subsequently approved by City Council at its meeting of June 24, 25, and 26, 2003.

At its meeting of June 20, 2008, the Board approved the 2008 Memorandum of Understanding (MOU), between the Board and CNEA which MOU provided for the purchase at fair market value of the Greek Gods. At its meeting of April 23, 2010, the Board approved the purchase of the Greek Gods from the CNEA at a value of \$500,000.

At its meeting of May 23, 2014, the Board approved a Member Motion brought by Councillor Layton which recommended that the CEO, with relevant City staff, report to the Board on several matters related to the care and control of the Greek Gods.

At its meeting of June 25, 2014, the Board approved several recommendations related to the the Board approved several recommendations related to the development of a public art policy, a web based information system for the promotion of all public art on the grounds and public access to that art.

At its meeting of September 10, 2014, the Board approved a Member Motion brought by Councillor Layton which recommended the following:

- 1) Establish a working group to evaluate options for the relocation of the Garden of the Greek Gods sculptures on the Exhibition Place grounds including any landscaping required, including members of the E.B. Cox family, any experts required, and appropriate Exhibition Place and City staff;
- 2) Exhibition Place staff enter into appropriate discussions with any tenants impacted by the relocation of the sculptures;
- 3) Evaluate any necessary steps to take to immediately protect the sculptures for the winter, including storage indoors;
- 4) Evaluate any legal implications relating to the sculptures, the lease agreements, and copyright laws;

- 5) Prepare as part of the 2015 capital budget submission, a request for funds to move the sculptures, including any parks levy monies available in proximity to the site, for submission to the Board; and
- 6) Report back to the Board at its October meeting.

#### Issue Background:

At the meeting of September 10<sup>th</sup>, the Board received several deputations and correspondence from the public which raised issues and questions from Board members for further information related generally to the following topics: aggressive cleaning the Greek Gods; winterization; assessment of condition of the sculptures; artists copyright; leasing provisions with Muzik Club Inc.; and relocation of the Greek Gods.

#### Comments:

##### Stone Conservator

On approval by the Board, Exhibition Place staff issued a sole source RFP to Trevor Gillingwater Conservation Services Inc. to provide for a detail review of the condition of the sculptures. Mr. Gillingwater is a member of the American Institute of Conservation, the International Institute for Conservation, and The Association of Preservation Technology. His credentials and contracts are extensive and substantial. Current projects include the role of project conservator for the exterior and interior masonry for Union Station, Toronto; project conservator for the Centre Block and Northwest Perimeter Wall of Parliament Hill, Ottawa; and project conservator for masonry for Bedford Row, Dominion Building, Halifax. Mr. Gillingwater has also worked on several monuments in cities across North America.

Exhibition Place has entered into an agreement with Trevor Gillingwater Conservation Services Inc. in the amount of \$23,000.00 to provide a report by February/March 2015 on the following matters related to the Greek Gods:

- 1) Evaluate and report on the general condition of each sculpture;
- 2) Detail any damage to each specific sculpture (including any damage by cleaning) and provide an opinion on whether or not such damage occurred in the last six years and/or was caused by recent activity or was the damage caused over a lengthy period because of the location of the statute outdoors or through natural ageing;
- 3) Recommend repairs to each sculpture, providing pricing, timing and method for each specific repair;
- 4) Provide a detailed work plan of how the sculptures could be moved to another location within Exhibition Place; what are the attributes that should be contemplated in the choice of any new location; how the statutes should be positioned in any new location (i.e. bases, footings, etc.) and the estimated cost of the relocation;
- 5) Make recommendations on care of the statutes in the present location; and.
- 6) Make recommendations on a long-term maintenance program for the sculptures.

In addition, Exhibition Place has contracted with Trevor Gillingwater Conservation Services Inc. at a cost of \$14,000.00 to provide winterization services related to the Greek Gods which is set out in Appendix "A" to this report. This winterization will be completed by the week of December 15, 2014.

##### Artist's Copyright

Report #12 entitled "Garden of the Greek Gods – City Solicitor Report" addresses this matter.

##### Muzik Clubs Inc. Lease Terms

Report #12 entitled “Garden of the Greek Gods – City Solicitor Report” addresses the terms of the lease.

Since the September 10th meeting of the Board, Exhibition Place staff have met with Mr. Zlatko Starkovski, President of the Muzik Clubs Inc. and indicated the Board’s direction to have the Greek Gods removed from the Leased Premises. A meeting has now been set up with Mr. Starkovski, the tenant, and his legal counsel and with Exhibition Place staff and City Legal Counsel in mid-December to start discussions about amendments to the lease that would result in the removal of the Greek Gods from the Leased Premises.

#### Aggressive Cleaning of the Sculptures

At the September 10<sup>th</sup> meeting, the deputants provided recent and past photographs of three sculptures (Pan, The Triton and Typhon) that had evidence of aggressive cleaning that had resulted in the removal of all the protective patina which resulted in serious damage to these sculptures. I met with Mr. Zlatko Starkovski about this serious matter and then followed up with a letter to him putting the tenant on notice of the serious damage caused. Mr. Starkovski indicated that he did not direct any aggressive cleaning of these sculptures by his staff but both verbally and in my letter I have requested Mr. Starkovski consult with his contractor about this issue.

I will be raising this issue again at the meeting with Mr. Starkovski and his legal counsel and we have also requested that the stone conservator provide an opinion on this matter and recommend any possible actions to be taken and the costs of those repairs, if any.

#### Contact:

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**Recommended Winterization Program for Greek Gods**

From: Trevor Gillingwater [water@total.net]  
Sent: Sunday, November 23, 2014 5:53 PM  
To: Linda Cobon  
Subject: Re: Garden of the Greek Gods

Hi Linda,

I have reviewed all the statues in preparation for winter and have determined that the statues can stay in situ without detrimental harm to them provided the following is done:

1. Boxes are placed around five more vulnerable statues: Pan, The Three Graces, Orpheus, Cyclops and Sphinx. 2. The aim of the boxes is to provide winter protection against snow and ice accumulation that, given the deteriorated condition to these specific statues, could see frost action push major surfaces away that are vulnerable. The hard shelled boxes will follow standard boxes forms made of exterior grade plywood such that ice and snow accumulation will kept off each sculpture. The actual protection against wetting from precipitation will be provided by a thick polyethylene plastic draped and tied loosely over each statue. The boxes will be vented at two ends of each box, so allowing for air to circulate and expel any humidity build-up with the box interiors. Each box will be painted for presentation purposes, with a paint closely matching the colour of the limestone. Given the potential of causing damage to the pavement surfaces surrounding each of the protected statues, the boxes will be weighted from within each box, at each internal corner with a 50lbs bag of sand. This will be more than adequate to retain the position of the boxes under any wind load.
2. Other statues can be left without boxes and they will not suffer any damage because they are not at risk for loss through the free/thaw process of winter.
3. Sand & wood chips are not an immediate issue and will be dealt with in the report to be submitted in 2015.
4. The winterization actions will be completed and in place by the week of December 15.
5. The cost of this winterization program is approximately \$14,000.

Thank you.

Trevor  
Trevor Gillingwater Conservation Services Inc.

Sent from my iPad