

**REPORT NO. 222 of the  
SOCIAL DEVELOPMENT,  
HEALTH & CULTURE STANDING COMMITTEE**  
of its meeting held March 5, 2014

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**Present:**                    **Councillor Ed Sleiman, Chair**  
                                  **Councillor Jo-Anne Gignac**  
                                  **Councillor Alan Halberstadt**  
                                  **Councillor Al Maghnieh**  
                                  **Councillor Fulvio Valentinis**

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Gignac,

**THAT** the report from the Manager of Cultural Affairs on Utilizing Reserve Fund 178 for relocations, repairs and maintenance of pieces within Windsor's Sculpture Garden in 2014-2015 **BE RECEIVED**; and further

**THAT** administration **BE AUTHORIZED** to issue an RFP for the painting of appropriate sculptures, an RFP for the relocation of appropriate sculptures and an RFP for other sculpture repairs to include plumbing and welding as appropriate be issued pursuant to the Purchasing Bylaw within the funding envelope of available funds within the Reserve Fund 178; and further

**THAT** the City Clerk and Chief Administrative Officer **BE AUTHORIZED** to award and execute the Agreement's with the successful services proponent(s) subject to technical content satisfactory to the Executive Director of Recreation and Culture and the Executive Director of Parks and Facilities, in form to the City Solicitor, and in financial content to the City Treasurer, and further;

**THAT** the Manager of Cultural Affairs and Executive Director of Parks and Facilities **BE AUTHORIZED** to hire 1 Temporary Museums Collection Assistant-Sculpture Park and up to 6 students through the Student Lottery who will work with Parks and Facilities staff to relocate the Sculptures identified as requiring a new location, provide up to date condition reports outlining all cleaning, maintenance, condition concerns and repairs completed.

Carried.

**Livelihood 17024, SR/7573**

Clerk's Note: The report authored by the Manager of Cultural Affairs dated February 14, 2014 entitled "*Utilizing Reserve Fund 178 for relocations, repairs and maintenance of pieces within Windsor's Sculpture Garden in 2014-2015*" is **attached** as background information.

*Ed. Lennin*

CHAIRPERSON

*Sandra Gebauer*

COUNCIL SECRETARIAT

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX

**THE CORPORATION OF THE CITY OF WINDSOR  
Social Development, Health and Culture Standing Committee-  
Administrative Report**



**MISSION STATEMENT:**

*"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."*

<b>LiveLink REPORT #: 17024 SR/7573</b>	<b>Report Date: February 14, 2014</b>
<b>Author's Name: Cathy Masterson</b>	<b>Date to Standing Committee: March 5, 2014</b>
<b>Author's Phone: 519 253-2300 ext. 2724</b>	<b>Classification #:</b>
<b>Author's E-mail: cmasterson@city.windsor.on.ca</b>	

**To: Social Development, Health and Culture Standing Committee**

**Subject: Utilizing Reserve Fund 178 for relocations, repairs and maintenance of pieces within Windsor's Sculpture Garden in 2014-2015**

P&R 14-13

**1. RECOMMENDATION: City Wide: \_\_\_\_\_ Ward(s): 3**

That the report from the Manager of Cultural Affairs on Utilizing Reserve Fund 178 for relocations, repairs and maintenance of pieces within Windsor's Sculpture Garden in 2014-2015 **BE RECEIVED**; and further

**THAT** administration **BE AUTHORIZED** to issue an RFP for the painting of appropriate sculptures, an RFP for the relocation of appropriate sculptures and an RFP for other sculpture repairs to include plumbing and welding as appropriate be issued pursuant to the Purchasing Bylaw within the funding envelope of available funds within the Reserve Fund 178; and further

**THAT** the City Clerk and Chief Administrative Officer **BE AUTHORIZED** to award and execute the Agreement's with the successful services proponent(s) subject to technical content satisfactory to the Executive Director of Recreation and Culture and the Executive Director of Parks and Facilities, in form to the City Solicitor, and in financial content to the City Treasurer, and further;

That the Manager of Cultural Affairs and Executive Director of Parks and Facilities **BE AUTHORIZED** to hire 1 Temporary Museums Collection Assistant- Sculpture Park and up to 6 students through the Student Lottery who will work with Parks and Facilities staff to relocate the Sculptures identified as requiring a new location, provide up to date condition reports outlining all cleaning, maintenance, condition concerns and repairs completed.

**EXECUTIVE SUMMARY:**

N/A

## 2. BACKGROUND:

CR318/2010 Report #14837 M2-2006, dated January 9, 2006, approved the establishment of this interest bearing reserve fund to track all deposits and expenses as well as to record interests earned. The nature and purpose of expenditures is specifically related to the collection of sculptures in the Windsor Sculpture Park and other locations throughout the city, and will be subject to City of Windsor Council approval. The expenditures are intended to be for repair, preservation, enhancement or purchase of additional sculptures.

This Reserve Fund is different from the Odette Bequest Fund which was established to promote the collection locally, nationally and internationally. The Bequest Fund prohibits the use of those funds to maintain the collection.

In July 2012, M365-2012 *"That Report No. 92 of the Social Development Health & Culture Standing Committee of its meeting held July 11, 2012 regarding "Reserve Fund Windsor's Sculpture Garden"* be adopted. This report accepted the proposal from Salter Art and Appraisals to provide condition reports for the city-owned sculptures and to provide certified Appraisals for the purpose of Insurance on all of the sculptural pieces.

## 3. DISCUSSION:

The City of Windsor owns a significant Public Art collection. The Parks and Facilities staff have paid seasonal attention to the 34 pieces located within the Windsor Sculpture Park. The other 18+ pieces located throughout the City have received less consistent inspections and maintenance.

The results of the evaluation completed by Salter Art and Appraisals provided information firstly on how to establish a regular maintenance cycle of work, secondly art works requiring conservation work were identified and lastly, an appraisal value was determined for insurance purposes.

### Regular Maintenance Program

A maintenance plan was developed as a result of the RPF issued in 2012 to evaluate all of the sculpture pieces both for insurance appraisal reasons and to ensure all pieces are maintained correctly for the length of their life span. Some pieces are approaching the end of their life cycle and a process needs to be in place to determine longevity and to maintain the pieces until they are removed from the collection.

The condition of the pieces examined ranges from excellent to poor. Appropriate wear and tear for items in the public realm is acceptable and does not in these situations effect the insurance value.

Long term survival of outdoor sculpture is affected by the use of the site, the buildings and structures around the pieces, trees, roads, playgrounds, water and other features. Windsor sculptures are primarily located within park settings, however many are located along the edge of the parks and therefore are affected by nearby road conditions. Several pieces are located near parking lots and a limited number are located within our facilities. All pieces require regular inspections, cleaning and maintenance.

Regular maintenance is necessary because pollution, moisture (rain, snow, mist, humidity) ultraviolet rays, and a variety of other factors are constantly impacting the sculptures. Every sculpture has its own particular problems and needs, but the general ongoing problems in many of our bronze sculptures are as follows:

- Breakdown of an applied coating from natural weathering which opens an opportunity for corrosion
- Dirt build up, including leaves and other debris which act as a retainer of moisture which promotes corrosion
- Handling by the public (climbing or touching) wears away the protective coating, patina and over time the metal itself
- Flaws in the casting where the metal is porous, often causes corrosive activity
- Joints in the sculpture can be sites of corrosive activity due to the breakdown of the coating in these areas
- And lastly, the removal of graffiti causes a wearing and breakdown of the protective coating

Each sculpture should be evaluated seasonally and condition reports including digital images of all four sides of the work be completed at the time of the inspection. All information should be updated within the Mimsy database maintained at Windsor's Community Museum.

It is recommended that in an ideal situation, each quarter of the year in addition to inspections, the sculptures are appropriately hand washed and a paste wax is applied to all surfaces of the bronze and steel components.

Each sculpture should be washed yearly and have an appropriate paste wax applied to the bronze and steel components. This has not been completed in a number of years. Additionally, many of the pieces should have the protective coating actually removed prior to the paste wax being applied. It is extremely important that the condition reports be completed every time attention is spent on each sculpture to ensure that records are complete. Staff can then track any noticeable problems, cracks, and coating issues and work with a conservator as required.

Every two years, a professional conservator should assess the collection to evaluate the overall success of the maintenance program and identify any potential challenges which may require correction.

Every five years an appraisal review of the collection should be completed to ensure the collection is adequately protected.

### **Conservation Work Identified**

Through the process of evaluation that was completed, it has been identified that a number of the sculptures have been incorrectly mounted on a foundation or placed in locations that have damaging conditions. These pieces should be re-located to a more suitable location. Each piece requiring this attention will be listed below in the order of severity of issue. The first ten sculptures listed are in need of the most serious attention.

*Salutations*, created by Ralph Hicks is an eight foot tall stainless steel geometric piece that requires a complete resurfacing and cleaning. Seasonally the piece should be protected with a low snow/salt protection fence. The grass should also be pushed back from the base to protect the piece from further damage from machinery and overspray.

Craft 9 is the aluminum spaceship created by Canadian artist Ben Smit. This piece was not meant to be installed outside. The structure should be assessed for structural stability including internal and external water damage. There is much concern over the condition of the internal framework. This piece would benefit from repair by a conservator and reinstalled inside one of the corporation's facilities. At this time it is unknown as to which facility may have the space to accommodate the piece.

Sinclair Station Dion and Triceratops are both in need of attention. The surfaces of both have been repainted and have suffered damage and should be repaired by a qualified fibreglass studio and repainted to their original colours.

Rinterzo by local artist Joe DeAngelis, requires the masonry to be re-pointed in many areas of the perimeter wall. There are areas of granite loss on the vertical cut out and the granite balls are in need of cleaning and polishing. The waterworks on this piece need to be restored as they are an integral part of the sculpture.

The Chicken and the Egg currently has the Chicken off exhibit as structural issues have developed with this sprocket sculpture created by Toronto artist Morton Katz. Parks Design and Development staff and Cultural Affairs staff have worked with the artist to design a frame which will assist in stabilizing the Chicken.

Ground to Ask the Sky is a welded steel piece that has a very poor condition surface due to the loss of the original coating and it has extensive graffiti on the inside of the work. The edge between the top 'cup' form and the bottom support also shows evidence of heavy corrosion. The piece needs to be further evaluated for conservation work. The remaining original surface needs to be removed and the piece resurfaced.

Anne a bronze nude created by Leo Mol, was removed from its plinth in the river in January as ice pushed over the plinth. The original patina of this piece is lost and heavy oxidation is changing its appearance. An excess of bird guano is evident in the heavy yellow, streaking all over the work and this is resulting in the corrosion of the surface level of the bronze. It is extremely difficult to maintain this piece while it is located in the Detroit River. A new location should be determined for the piece.

Composition with Five Elements, the yellow formed aluminum piece located by the Ambassador Bridge created by artist, Haydn Davies requires relocation. Unfortunately the piece was not properly mounted and as a result the entire structure moves when the public climbs on it. Due to the interaction of the public, each weld joint is showing stress fractures. The piece is also suffering from heavy pollution falling on it from the bridge causing erosion to the paint. It is advisable to relocate the piece, and remounting in a manner that would discourage skateboarders and the public from climbing on it. The existing surface should be replaced with new paint and wax. New paint should be applied on a four year cycle.

Penguins on a Waterfall created by Yolanda Vandergaast requires the waterfall to have the stones re-pointed and the water works restored to working condition. The penguins require repainting and resurfacing.

Bell Measure MCMXCIX is suffering due to a lack of wax on its original surface layer. There is a great deal of surface streaking caused because of this lack of wax and because of the spray of water and salt coming from the road. The wood handle is also absorbing water and showing signs of splitting and cracking.

Obelisk is a blue painted steel piece. Water gathers at the base and some attention should be spent in determining a method to have it shed the water. The surface of the piece is in poor condition. At some time in the past, the piece was improperly repainted and the paint and a protective coating has streaked down the surface. Graffiti and abrasions are also evident.

Space Plough, the red hard edge triangle created by Sorel Etrog is also in need of attention. This piece is structurally sound. The surface is in quite poor condition. The shape of the piece encourages interaction with skateboarders and the public. This has caused extreme loss of paint along the top edge of the piece. Water is pooling in crevices where the joined elements have been welded and corrosion is affecting the sculpture. It is recommended that protections be put in place to limit exposure from salt spray (i.e. a linen landscaping fence in the winter season). Additionally the piece needs to be repainted with a protective surface established.

Ribbon of Friendship located in the vision corridor, is suffering with some rusty bolts and bubbling of the surface finish.

All pieces as mentioned require cleaning, stripping of old wax and then a new wax finish be applied. Additionally many pieces need to have grass removed from close to the sculptures to ensure no future damage from park machinery and equipment off spray.

#### Appraisal Values

An attached Private and Confidential Memo identifies the sculptures and the values that were determined through a comprehensive evaluation.

Each sculpture was inspected in their current location. The appraisal made use of the cost approach and sales comparison and replacement approach to estimating worth. In the cost approach, the marketplace is researched to estimate replacement cost.

The condition of the pieces examined ranges from excellent to poor. Appropriate wear and tear for items in the public realm is acceptable and does not in these situations effect the insurance value.

The value conclusions expressed were based on the appraiser's research, best judgment and opinion. The values are based on current market information and are provided on a median value.

The report submitted to the Cultural Affairs Office was prepared in conformity with and was subject to the current version of the International Society of Appraisers *Appraisal Report Writing Standard and Code of Ethics*. In addition, the analysis, opinions and conclusions were developed in conformity with the current version of the Appraisal Foundation's *Uniform Standards of Professional Appraisal Practice*.

#### Workplan Utilizing Reserve Fund 178

The work required to maintain this collection is outside the scope of training and knowledge of City staff. Conservation experience gained through higher education and experience is required to ensure the collection is properly attended to. Many of the techniques to wash and wax the sculptures are labour intensive as the work is done by hand.

The consultant has recommend that each sculpture should ideally be washed quarterly and have an appropriate paste wax applied to the bronze and steel components each time. Administration

recognizes that at this time this is not feasible from a labour standpoint and would suggest the pieces be washed twice a year and waxed once a year. It is not possible to reach even this standard with existing staff levels.

The sculpture collection has not been washed or waxed in a number of years. Additionally, many of the pieces should have the protective coating removed prior to the paste wax being applied. It is extremely important that the condition reports be completed every time attention is spent on each sculpture to ensure that records are complete. Staff can then track any noticeable problems, cracks, and coating issues and work with a conservator as required.

In order to complete this work to acceptable industry standards, it is recommended that one Temporary Museums Collection Assistant- Sculpture Park and up to six students be hired following normal human resource protocols for the Student Lottery to begin to work on the deficit of maintenance required. These staff must have the appropriate education and training as completed through a college/university conservation programs, which will be identified through the applications. Should there be insufficient qualified applications through the Student Lottery, the positions will be posted by the Human Resources Department.

Hiring temporary seasonal student staff to do this labour intensive work is the most economical and most feasible way to achieve results to industry standards within a reasonable timeframe. Conservation students will know the most up to date techniques and conservation materials to perform all of the cleaning of the sculptures. The Temporary Museums Collection Assistant – Sculpture Park would likely be a more experienced conservator or even a well established professional who would find this project intriguing due to the variety of projects that would be encountered through the diversity of the collection the City owns. Alternatively, post-graduate students would be good candidates for this type of position, with resources from the educational institutions.

These staff would report to the Cultural Affairs office and would work extremely closely with staff in Parks Operations and Parks Design and Development. In effect a small working committee which would include the Manager of Cultural Affairs, the Manager of Parks Operations and the Manager of Design and Development along with other staff as appropriate would oversee the work completed on the collection.

The Museums Collection Assistant- Sculpture Park would oversee the work and ensure all documentation correctly occurs. This position would determine which pieces receive attention first and would assist in locating conservators with the correct skill set to take on some of the bigger conservation projects. This position would begin in April and end in October to allow the successful candidate sufficient time to develop a list of priorities. The incumbent will work with Parks staff to ensure that an RFP is developed to ensure all pieces requiring re-painting are done as one project, all new foundation work is done as one project etc. Working through the RFP process with multiple sculptures receiving high level maintenance at once will make a significant indent into the deficit of repairs required.

The seasonal students would undertake the stripping of surface finishes, the washing of the sculptures and the waxing of all of the pieces. It is important that students who are attending one of the four Ontario college/university conservation programs be hired to do this work as they will have been properly trained and aware of all of the correct waxes and finishes to use on the different types of sculpture materials. The seasonal students would also be required to interact with members of the public who will express curiosity and concern over the work being



completed on the collections. The students would work a normal summer season from May through to September.

It will take several summers to complete this work. The Corporation of the City of Windsor, will need to evaluate the costs of this work as it proceeds and will need to determine a future funding envelope to ensure the continued long term maintenance. Much of the work done needs to be done several times a year and at this stage, it is not something that staff can support.

#### 4. RISK ANALYSIS:

The collection is a valuable asset to the community not just in terms of monetary value but also in terms of artistic value. The sculptures add to the city's sense of place and quality of life. The City of Windsor accepted the pieces into its corporate care and attention needs to be provided to these assets to ensure they are accessible to the community for generations to come.

#### 5. FINANCIAL MATTERS:

As of December 31, 2013 Reserve Fund 178 has a balance of \$444,007.70. The purpose of this fund is to ensure proper maintenance of the sculptures so developing a maintenance plan to guarantee regular and thorough inspections and repairs is a suitable use of the funds.

<b>Sculpture Maintenance Temporary Staffing</b>							
<b>Job Title</b>	<b># of Staff</b>	<b>Union</b>	<b>Classification</b>	<b>Rate Per Hour (Inc. Vac. &amp; Fringe)</b>	<b>Hrs Per Week</b>	<b># of Weeks</b>	<b>Total Staffing Cost</b>
Temporary Museums Collection Assistant	1	Local 543	10	\$ 30.76	35	26	\$ 27,987.13
Season Students (Ontario College/University Conservation Program)	6	Local 82	86.20	\$ 17.96	35	17	\$ 64,117.20
<b>Total Temporary Staffing Costs</b>							<b>\$ 92,104.33</b>

The costs to re-locate, repair and restore the identified sculptures would be determined through the RFP process. Costs would not exceed the total amount within Reserve Fund 178's envelope.

It should be noted that there is a finite amount of funds within the reserve, and in order to properly maintain the sculptures on a long term basis, there will need to be an ongoing funding source. Because we are behind in our maintenance practices, there will be upfront demands, including the work by the students, Parks and Facilities staff, and contract work. It is anticipated that this could deplete the reserve by 2016. This timing is not certain until there has been an opportunity to tender or RFP some of the specialized work. There is a risk the funds could be depleted quicker, or they could last longer. A funding request for \$50,000 will be introduced in the 2015 budget process to recommend the establishment of an operating budget for the maintenance and hiring of future seasonal workers to ensure the Sculpture Park and other public art pieces are maintained into the future. With the collection receiving regular attention for the next two summers, it would be expected that on a go forward basis, hiring a reduced number of students would be reasonable and they would be able to complete the regular yearly maintenance

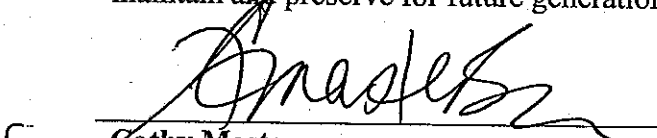
of the works. Any large conservation requirements would be identified through the regular maintenance regime and administration would be able to put forward funding requests through the normal capital budget procedures.


**6. CONSULTATIONS:**

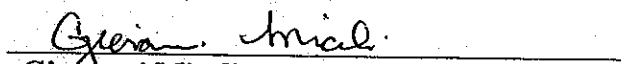
Manager Parks Design & Development  
Manager Parks Operations  
Manager of Operating Budget Control & Financial Administration  
Executive Director of Human Resources

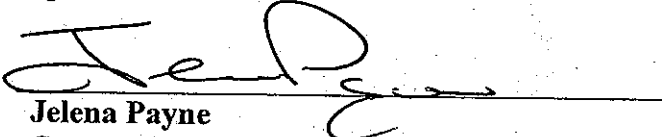
**7. CONCLUSION:**

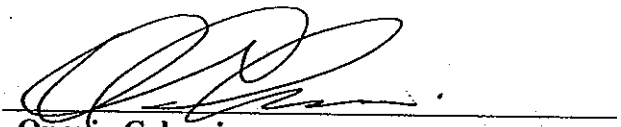
The collection is a valuable asset to the community not just in terms of monetary value but also in terms of artistic value. The sculptures add to the city's sense of place and quality of life. The pieces represent a significant asset to the City of Windsor and require specialized attention to maintain and preserve for future generations to enjoy.

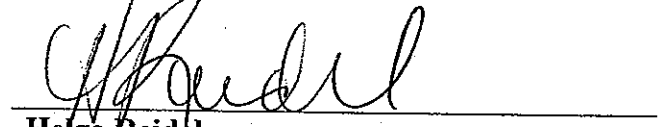
  
Cathy Masterson  
Manager of Cultural Affairs

  
Jan Wilson  
Executive Director Recreation and Culture

  
Giovanni Miceli  
Executive Director, Parks and Facilities

  
Jelena Payne  
Community Development and Health  
Commissioner and Corporate Leader Social  
Development, Health, Recreation and Culture

  
Onorio Colucci  
Chief Financial officer/City Treasurer and  
Corporate Leader Finance and Technology

  
Helga Reidel  
Chief Administrative Officer

cfm

**APPENDICES:**

**DEPARTMENTS/OTHERS CONSULTED:**  
Name:  
Phone #: 519 ext.

**NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX



# THE CORPORATION OF THE CITY OF WINDSOR

## Memo

**To:** Mayor and Council

**From:** Cathy Masterson, Manager of Cultural Affairs

**Date:** March 20, 2014

**Subject:** Additional Information re: Item #9, Livelink #17024, Utilizing Trust Fund 178 for relocations, repairs and maintenance of pieces within Windsor's Sculpture Garden in 2014-2015

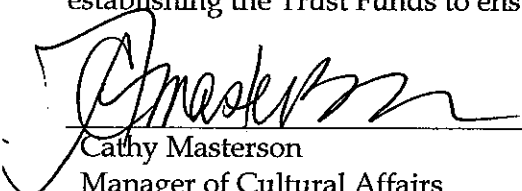
**ADDITIONAL  
INFORMATION**  
REPORT NO. 222 OF  
SOCIAL DEV. HEALTH + CULTURE

The late Mr. Louis Odette and the P&L Odette Foundation have been the driving force behind the establishment of the Sculpture Park. The City of Windsor is grateful for the ongoing support and interest they have shown in developing the "museum without walls" through the public art installations in the City.

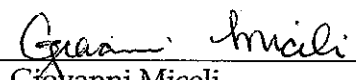
In October of 1997, the first six of the sculptures were placed along the Detroit River within the parkland owned by the City of Windsor. Presently there are 34 sculptures along the river front.

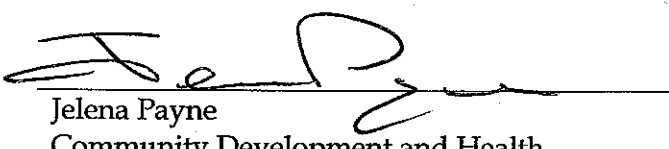
In 2010, as part of the Odette family's commitment to the Sculpture Park, \$200,000 was provided to be used for the purposes of maintaining the artworks with the City of Windsor to provide matching funds. This commitment was established as part of the donation agreement developed between the City of Windsor and the Odette family. The funds received from the Odette family and the City's matching funds were placed in the reserve account referenced in the Administrative Report, Livelink #17024.

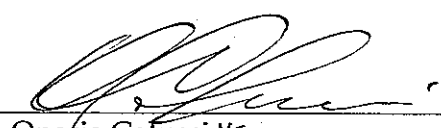
The City of Windsor is appreciative of the foresight and consideration of the Odette family in establishing the Trust Funds to ensure the collection is maintained in an appropriate manner.

  
Cathy Masterson  
Manager of Cultural Affairs

  
Jan Wilson  
Executive Director Recreation and Culture

  
Giovanni Miceli  
Executive Director, Parks and Facilities

  
Jelena Payne  
Community Development and Health  
Commissioner and Corporate Leader Social  
Development, Health, Recreation and Culture

  
Onorio Colucci VC  
Chief Financial Officer/City Treasurer and  
Corporate Leader Finance and Technology

  
Helga Reidel  
Chief Administrative Officer

CITY OF WINDSOR  
COUNCIL SERVICES

MAR 28 2014

**RECEIVED**