



**STAFF REPORT
ACTION REQUIRED**

**Re-purchase Option - Cathedral Church of St. James
Clock Mechanism**

Date:	October 17, 2012
To:	Economic Development Committee
From:	General Manager, Economic Development and Culture
Wards:	All
Reference Number:	P:/2012/Cluster A/EDC/ECON DEV/November/ed1211-035

SUMMARY

The purpose of this report is to recommend that the City not re-purchase the Cathedral Church of St. James clock mechanism. This object was formerly owned by the City and was subject to a Conditional Sale Agreement in 1996. Under this Agreement, if the transferee no longer wishes to continue public display of the clock mechanism, the City has 60 days to either re-purchase the object or disclaim any further interest in or claim to the object.

The transferee of the clock mechanism has given the City until December 31, 2012 to make a decision on re-purchasing the clock mechanism for \$19,000.00, which covers the transferee's costs as provided for in the Conditional Sale Agreement. If there is no decision, or if Council explicitly disclaims any further interest in or claim to this object, the transferee will be entitled to lease, sell or otherwise transfer his interest in the clock mechanism.

RECOMMENDATIONS

The General Manager, Economic Development and Culture, recommends that:

1. Council waive its option to re-purchase the Cathedral Church of St. James clock mechanism from David Abernethy, and disclaim any further interest in or claim to this object.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

In adopting Minute No. 2.7 of Meeting No. 1996-25, the Board of Management of the City of Toronto authorized the transfer of the Cathedral Church of St. James clock mechanism to a transferee (David Abernethy) as personal property no longer required by the City, and upon certain terms and conditions incorporated into a Conditional Sale Agreement (December 16, 1996) between the City and Abernethy.

ISSUE BACKGROUND

In 1875, a group of Toronto citizens presented a clock mechanism, including a clock face, to the Cathedral Church of St. James at 109 King Street East. In the 1990s, the Church determined that the mechanism was too expensive to repair and plans were made to remove and replace it with a new quartz mechanism.

To preserve the original mechanism, the City (as its owner) entered into a Conditional Sale Agreement with David Abernethy of Abernethy & Son Clockmakers. The City's interest in the mechanism was transferred to Abernethy for a nominal sum on condition that the object be restored and placed on permanent display, fully operational for public viewing. If Abernethy no longer wished to continue public display of the mechanism, the City would have 60 days to exercise its option to re-purchase it for an amount equal to the reasonable documented expenses incurred by Abernethy.

On May 7, 2012, the City was notified that it had 60 days to either re-purchase the mechanism or disclaim any further interest or claim in the object. This option period was subsequently extended to December 31, 2012. Abernethy claimed expenses of \$19,000.00 for packing, transportation, storage and safekeeping, as provided in the Conditional Sale Agreement.

St. James continues to own the historic clock face, which remains in operation on the Church's tower.

COMMENTS

Museum Services staff inspected the St. James clock mechanism to assess its current condition and acquisition potential for the City's artifact collection.

The St. James clock mechanism is historically significant and is an interesting industrial object. It is also large and heavy; the mechanism and its wooden frame currently occupy a volume of 5.3 cubic metres (about 175 boxes of letter copy paper) and weigh about 2.5 tonnes.

The re-purchase price of \$19,000.00 includes only those costs incurred to date by David Abernethy. While these costs are considered reasonable, re-purchase by the City would actually cost at least \$25,000.00, once the additional costs of packing, transportation and reassembly are counted.

The integrity of the St. James clock mechanism is questionable. Original portions of the mechanism have been removed over time and the object has not been restored to an operational condition. Restoration of the mechanism to limited operation (i.e., for demonstration purposes, rather than drive a clock face) would cost about \$500,000.00, followed by highly specialized ongoing maintenance costs. A pendulum pit about 6 metres deep would be required to wind the mechanism, bringing the total display space requirement up to 19.6 cubic metres (about 650 boxes of letter copy paper).

No funds are available in the Museum Services' budget for the re-purchase, restoration or ongoing maintenance of the St. James clock mechanism. No space is available at any Museum Services facility for either the temporary storage or permanent display of this object.

The City already owns a fully functional tower clock mechanism. The mechanism at Old City Hall is of a similar age and design as the St. James example.

Given the above, it is recommended that the City not exercise its option to re-purchase the Cathedral Church of St. James clock mechanism.

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