

UPPER ARLINGTON PUBLIC LIBRARY

Board of Trustees Meeting  
Tuesday, September 12, 2006 5:00 p.m.

**MINUTES**

President Magill called the meeting to order at 5:03 p.m.

MEMBERS PRESENT

John Magill, John Burtch, Charles Motil, Bryce Kurfees, Brian Perera.

MEMBERS ABSENT

Megan Gilligan.

Burtch made a motion to excuse Gilligan's absence from the meeting. Perera seconded the motion. VOTING AYE: Burtch, Magill, Perera, Motil and Kurfees. VOTING NAY: None

ALSO PRESENT

Ann Moore, Library Director; Kate Porter, Assistant Director; Terri McKeown, Clerk-Treasurer; Lynda Murray, OLC; John Forgos, Owner's Representative; Kate Hastings, Youth Services Manager; Christine Minx, Public Relations Manager; Steve D'Andrea, Computer Services Manager; Michael Krimm, Circulation Page; Robyn Kress, Technical Services Department; Nancy Roth, Administrative Secretary.

APPROVAL OF THE MINUTES

Perera made a motion to approve the minutes of the August 22, 2006 meeting. Burtch seconded the motion. VOTING AYE: Burtch, Magill, Perera, Motil and Kurfees. VOTING NAY: None

PUBLIC COMMENTS

There were no public comments.

DIRECTOR'S REPORT

The Director's written report is attached to these minutes as Exhibit A.

### You Make a Difference

Moore introduced the 2006 winners of the “You Make a Difference” Awards. She noted that candidates are nominated at large by any staff member and then voted on by secret ballot by the Department Managers. There are four winners each year. Moore said that Mark Mangini, Reference Manager, was one of the winners but was ill and not able to attend the Board meeting.

Moore introduced Michael Krimm, Circulation Page and noted that he received five nominations. She commented that one description of Krimm was that he was a “shelver extraordinaire.” Robyn Kress from Technical Services was introduced and Moore said that Kress started at Lane Road and then moved to Technical Services. She said that Kress was involved in many special projects in Tech Services and that other departments appreciated working with her, especially Youth Services. Nancy Roth was the fourth winner. Moore noted that Roth had received two nominations and that Roth had been instrumental in record keeping improvements in the office.

Magill congratulated and thanked the award winners. He also noted his appreciation for the staff who had received monthly recognition from their co-workers as published in the staff newsletter. The Board expressed their appreciation through a round of applause.

### Youth Services Report

Moore introduced Kate Hastings, Youth Services Manager. Kate presented the Board members with an overview of the summer in the Youth Services Department, including the Summer Reading Program. She provided the members with a written summary which is attached to these minutes as Exhibit B. Hastings said that while the number of participants in the Summer Reading Program did not show an increase, the average number of hours of reading showed a significant increase. She noted that 500 book reports were submitted by high school youth.

Hastings said that the winners of the Summer Reading Program were St. Agatha’s School in the elementary division and Hastings Middle School in the older student category. The schools receive a trophy. Hastings said that the winners of the iPod nano’s were very excited and their reactions over the phone were fun to hear. Hastings also listed many of the programs offered to infants and toddlers over the summer, along with the various craft programs for older children. Hastings presented the Board members with ball caps that had been given as a sign-up reward to the Summer Reading participants.

Magill expressed the Board’s appreciation to Hastings and to the Youth staff at Lane for their fine work in making Summer Reading such a success.

### Facilities Update

Moore asked Forgos to provide an update to the Board of the various construction and improvement projects. Forgos said that the Tremont book drop should be ready to open in a week or so. He suggested that a sign be prepared to assure patron safety due to the heavy amount of traffic in the drive. This would help people be more aware of the changes in traffic patterns.

Forgos said that steel was scheduled for delivery at Miller Park today, but was delayed due to the heavy rain. He said the project was still on track for completion around the end of the year.

Forgos said that four general contractors and one electrical contractor came to Lane Road for a pre-bid meeting for the restroom project. He noted that there was interest in the project and bids would be taken on 9/28/06.

Magill asked about planning a ribbon cutting for the book drop at Tremont. Moore indicated that she would take care of coordinating this event.

Moore said there is no donation of landscaping for Miller Park, so that there is a need to approve the Second Alternate for the Miller Park Renovation Project. This would authorize Teemok Construction to proceed with landscaping at the rate which they were holding until 10/1/06.

**Kurfees made a motion to accept the Second Alternate as previously bid by Teemok Construction. Perera seconded the motion. VOTING AYE: Burtch, Magill, Perera, Motil and Kurfees. VOTING NAY: None.**

#### Strategic Planning

Moore asked Porter to report on the strategic planning process. Porter said that the draft of the strategic plan was sent to the community stakeholders on Monday. The second meeting of the stakeholders is Friday, September 15, 2006. Porter said that the group will give feedback on the plan presented to them by the library. The library will then tweak it into a final draft. The plan will be presented to the Board at the October meeting.

Magill returned to the subject of facilities. He noted that the Board had received a copy of a letter from Forgos outlining the Storm Sewer portion of the Miller Park Project. He asked the Finance Committee to review the letter and to make a recommendation to the Board at the October meeting as to how the library should proceed. He reviewed the process and rationale used by the Operations Committee in recommending proceeding with the work at their meeting of 7/31/06.

#### Personnel

Moore said that several key positions have now been filled. Shahin Shoar has accepted the Media Services Manager position and will begin on Monday, September 18, 2006. Angela Grandstaff will also start on September 18<sup>th</sup> as a new Youth Librarian. Vita Marinello will assume the position of Circulation Manager as of October 2<sup>nd</sup>. Sherman Wallace has assumed to position of Facilities Manager.

Moore noted that the monthly agenda and minutes have been posted on the website for the first time. She said that the up-coming agendas would be posted at the time they are sent to the city so that they would be tentative, since the city requires the agendas two weeks in advance of the actual meeting. Moore said that minutes would be posted

following Board approval. She noted that she had researched how and when other libraries posted minutes on their websites. She thanked Steve D'Andrea and Sara Klein for their work in getting the webpage set up for these documents. She also thanked them for getting the Terry Casey report posted online so quickly, noting that it was a more complicated task than initially expected. Kurfees thanked Moore for being responsive to the request to post the documents online. Burtch asked if we could monitor the number of hits the online documents received. Moore and D'Andrea said that this information should be able to be retrieved.

Kurfees returned to the topic of Forgos' letter regarding the Miller Park Storm Sewer. Kurfees asked if it was appropriate to ask for input and/or corroboration from Joe Valentino. Magill said that the first step was for Finance to review the letter and to make a recommendation to Ann. Kurfees said that he would probably plan to meet with Valentino to gather more information. Magill asked Kurfees to coordinate any such meeting with Moore. Magill noted that Moore should be involved in that type of meeting so that Administration is fully informed and information is properly recorded in order to move forward. Moore noted that prior to the start of this project she met with Joe Valentino, the city attorney and the city engineer to discuss the storm sewer project.

#### OPERATIONS COMMITTEE

Perera indicated that there had been no meeting of the Operations Committee.

#### FINANCE COMMITTEE

Kurfees noted that there had been no meeting of the Finance Committee.

#### CLERK-TREASURER'S REPORT

McKeown's written report to the Board follows.

### ***NOTES FROM THE CLERK TREASURER SEPTEMBER 2006***

*Since it has been only two weeks since the last Board meeting, my report will be brief. Financial planning for facilities is continuing with the Board strategic planning committee. We are reviewing the energy study by Bruner, and will be building the recommended improvements into the Building Improvement Fund over a three-year period. The study will be discussed at the September Board meeting.*

*Included in your packet is a resolution to adjust the 2006 estimated resources (revenue). We are receiving more interest income in the General Fund. I am recommending that we wait to allocate this money until we know the cost of new public computers (pending a report from the Computer Services Department). The adjustment for Miller Park is due to the refund received from Columbia Gas earlier this year. We have an agreement with the City that they will reimburse us \$11,000 for the storm sewer work, so the total*

*anticipated miscellaneous receipts are \$17,110. I will be requesting that the Franklin County Budget Commission change our Certificate of Estimated Resources for 2006. I will also be moving \$55,000 during the month of September from the General Fund to the Miller Park Renovation Fund. This money has been appropriated for transfer from the General Fund. The money will pay for landscaping and furniture.*

*The resolution in your packet to amend the appropriations is to reallocate money between line items in the General Fund and the Miller Park Renovation Fund. We will not be spending any additional money for advertising for the Miller Park project, so I would like to move the money to professional services. Due to an increase in library materials processing supplies and public relations printing supplies, we need additional money for general supplies for the remainder of the year. I took a look at the other line items, and I am recommending some minor shifts at this time.*

*I reviewed the insurance proposal provided by Bob Fenner of Thomas, Fenner, Woods for the library's insurance coverage effective September 2006 through September 2007. Included in your packet is a resolution to approve the proposal. Most of the insurance coverage is with Westfield Insurance, with the exception of the Employment Practices/Directors & Officers coverage, which is with Traveler's Insurance. Alternative quotes were received from Cincinnati and Safeco. We rejected their proposals due to price. The building values for the Main Library and Lane Road Library have been increased by 6% and the contents were increased by 3%. The policy also includes Builders Risk insurance on the Miller Park Library to cover the building during construction. Once construction is completed, we will review the coverage. The insurance policy also covers computer hardware and software. We will review the coverage after a decision has been made on replacing the public computers. Since the premium remains fairly stable from last years' coverage, I increased the coverage on the Employment Practices Insurance from \$1,000,000 aggregate to \$2,000,000 aggregate, after consultation with the Personnel Committee.*

*The resolution for the tax levy is a resolution that is provided by the Franklin County Budget Commission. It is an indication of what we can expect to receive from our operating levy next year. 2007 is the final year that we will receive money from our existing levy. The resolution is required by law to be voted on and adopted by the Library Board by October 1<sup>st</sup>.*

*Next week, I will be attending the Ohio Government Finance Officers Association annual conference in Cincinnati. This meeting is a great opportunity to network with government finance officers throughout the state and receive training on topics that are pertinent to my position.*



MILLER PARK RENOVATION FUND 403

3200 Communications	- \$ 1,700
3700 Professional Services	+ \$ 1,700

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McKeown noted that the major change was to allocate additional funds for supplies. She said this increase was due to the increase in the library materials budget last month, preparations for processing Miller Park materials and the changes in Public Relations doing more printing of materials in-house. Perera asked about the source of the savings in communications reflected. McKeown said that most was due to the discontinuation of services, including the T-1 data lines, while Miller Park is closed.

Burtch made a motion to approve Resolution 45-06. Kurfees seconded the motion. VOTING AYE: Burtch, Kurfees, Motil, Magill and Perera. VOTING NAY: None.

RESOLUTION 46-06  
**Insurance Coverage**

Be It Resolved that the Board of Trustees of the Upper Arlington Public Library accepts the following quotes from Thomas-Fenner-Woods Agency, Inc. for insurance coverage with Westfield Insurance and Travelers Insurance for a one-year term commencing September 1, 2006:

<b>Property, Liability, &amp; Auto Coverage</b>	<b>\$19,996</b>
(Coverage provided by Westfield)	
Property Insurance	
Blanket Building & Contents	\$12,220,868
Blanket Collection	\$5,520,800
Coverage is Replacement Cost	
Deductible on Buildings & Contents	\$5,000
Deductible on Collection	\$2,500
Commercial General Liability	
General Aggregate Limit	\$2,000,000
Each Occurrence	\$1,000,000
Commercial Automobile	
Bodily Injury & Property Damage	\$1,000,000 CSL ea. Accident
Medical Payments	\$ 10,000 each person
Uninsured Motorist	\$1,000,000 each accident
Deductible	\$250 comprehensive/\$500 collision

Boiler & Machinery	\$2,500 Deductible
Builders Risk (on Miller Park Construction)	\$1,000 Deductible
Data Processing (Hardware & Software)	\$1,000 Deductible
Commercial Crime	\$500 Deductible

**Umbrella Coverage** **\$2,180**  
 Coverage provided by Westfield  
 (Aggregate Limit \$2,000,000; Commercial Liability \$1,000,000 each occurrence; Auto Liability \$1,000,000)

**Employment Practices Insurance** **\$10,750**  
 (Limit \$2,000,000 aggregate with a \$5,000 deductible; Directors and Officers Coverage is included under this coverage)  
 (Coverage provided by Travelers Insurance)

**Total** **\$32,926**

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McKeown said that the insurance was for property, liability and auto coverage. She said there were minor changes to the policy from last year. The policy is for blanket coverage with an increase in the value of the property. She noted that builder’s risk insurance is included in this policy. She also noted that the employment practices portion of the policy had been increased to \$2,000,000. Burtch agreed that the increase to \$2,000,000 was reasonable due to the costs of litigation.

Perera made a motion to approve Resolution 46-06. Burtch seconded the motion.  
 VOTING AYE: Perera, Kurfees, Magill, Burtch and Motil. Voting Nay: None.

RESOLUTION 47-06  
**Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor**

WHEREAS, This Board in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2007; and

WHEREAS, The Budget Commission of Franklin County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it



RESOLVED, By the Board of Library Trustees of Upper Arlington Public Library Franklin County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Library the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2006 (collection year 2007) as follows:

SCHEDULE A

Summary of Amounts Required from General Property Tax Approved by the Budget Commission, and County Auditor's Estimated Tax Rates

Fund	Amount to be Derived from Levies Outside 10 Mill Limitation	Estimate of Full Tax Rate to be Levied Outside 10 Mill Limit
General Fund	\$2,248,171.85	2.00
TOTAL	\$2,248,171.85	2.00

and be it further

RESOLVED, That the Clerk of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

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McKeown said that the resolution would accept the tax levy rates and amounts for 2007 as determined by the Franklin County Budget Commission. She said the action was required by the Ohio Revised Code.

Kurfes made a motion to approve Resolution 47-06. Burtch seconded the motion. VOTING AYE: Perera, Kurfes, Magill, Burtch and Motil. Voting Nay: None.

Regarding the August Financial Reports, Motil asked if the outstanding encumbrance for the Building Improvement Fund included a lot of work from DesignGroup. She said that no work from DesignGroup was included in that amount. The total consisted of fees for Forgos' work on projects at Tremont and Lane Road, the architect's fees for Lane Road Restroom Project and the actual contract with 2-K General for the book drop project. She noted that all DesignGroup fees are in the Miller Park Renovation Fund.

Burtch made a motion to approve the August 2006 Financial Reports. Kurfees seconded the motion. VOTING AYE: Motil, Magill, Burtch, Kurfees and Perera. VOTING NAY: None.

McKeown said that the first application for payment from Teemok has been received for the Miller Park project. Burtch asked if the bill was for work done or a percentage of the total contract. McKeown said that the bill was for work done.

PERSONNEL COMMITTEE

**TREASURER'S PERSONNEL REPORT**

<u>Effective Date</u>	<u>Employee</u>	<u>Current Rate</u>	<u>New Rate</u>	<u>Classification</u>	<u>PT/FT</u>
<b><u>Terminations</u></b>					
08/27/06	Eric Davis			Page	T PT
09/02/06	Heather Hostettler			Lib Asst I/Circ	T PT
09/08/06	Allison Hunter			Page	T PT
<b><u>New Hires</u></b>					
09/18/06	Shahin Shoar	\$1769.23 biweekly \$46,000 annual RA 109		Media Svs Mgr	T FT
09/18/06	Angela Grandstaff	\$1394.23 biweekly \$36,250 annual RA 107		Librarian/Youth	T FT
10/02/06	Vita Marinello	\$1653.85 biweekly \$43,000 annual RA 109		Circulation Mgr	T FT

<u>Effective Date</u>	<u>Employee</u>	<u>Current Rate</u>	<u>New Rate</u>	<u>Classification</u>	<u>PT/FT</u>
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**Change of Status**

09/10/06	Sherman Wallace	\$10.68 RA 103	\$1600.00 biweekly \$41,600 Annual RA 109	Custodian to Facilities Manager	T FT
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**Non-FMLA Leave of Absence**

08/21/06 to 09/03/06	Anne-Marie DuJardin			Lib Asst I/Circ	T PT
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Burtch noted that the Committee did not meet. He pointed out that the Monthly Personnel Report had been updated and was different than the report mailed to the Board. Burtch made a motion to approve the Personnel Report dated 9/12/06. Kurfees seconded the motion. VOTING AYE: Motil, Magill, Burtch, Kurfees and Perera. VOTING NAY: None.

**FOUNDATION REPORT**

Moore noted that McKnight was ill and not present at the meeting. There was no report from the Foundation.

**PRESIDENT'S REPORT**

Magill said that with the coming of fall, the library is becoming a resource for learning. He noted that Fridays particularly see many patrons looking for books, DVD's, etc. for the weekend. He said that the changing ways in which the library is used by its patrons is a barometer of the value the community places on creativity and knowledge. He said that the strategic plan should continue to support and enhance this.

**OLD BUSINESS**

As the first item of old business, Perera said that the use of facilities proposal was not ready for consideration. Perera said he will keep working on refining the language and asked Board members to please submit their questions and/or comments to him in writing. He noted that the issue is more complex than it would appear at first glance. Motil said that it continued to appear to him that there were two issues reflected; that of the use of facilities and how or if they are paid for and that of the selection process of library programs. Perera noted that as pointed out in the August meeting, the use of facilities topic is covered in the Operations Manual to some extent.

Kurfees said that he had talked to Westerville and Worthington libraries. He said that neither one has a formal policy about the selection process. He said that the broad criteria were for a program to fit the library's mission and to fit their population. He noted that they get PSAs so that there were no advertising costs and that both libraries felt if there was a legitimate author whose work fit their population, they did not see an issue that would result in filtering an author out.

Kurfees said that both libraries acknowledged the need to restrict the use of public funds for author programs. He stated that the actual process was somewhat subjective since neither library had a formal policy.

Kurfees said that the library should not filter authors out or cut the policy too finely. He said that he was all for the library promoting authors. He said it was a great opportunity for the patrons.

Magill noted that the second item of old business had been introduced by Kurfees. Kurfees noted that the issue of term limits was a part of the trustees training he attended at Westerville Library. The item was dealing with trustee terms, the language of which had been submitted to the board last month, but is included here for clarity.

*“The mayor shall appoint a library trustee to a four-year term and can reappoint that trustee to one additional, consecutive term. After two consecutive terms, the trustee is ineligible to be reappointed for four consecutive years. If a vacancy occurs with less than two years remaining, the trustee appointed to fill the vacancy shall be allowed to serve two additional, consecutive terms. If the vacancy has more than two years remaining, the trustee appointed to fill the vacancy may only serve one additional consecutive term.*

*If this new policy is ratified, any current trustee having served more than two consecutive terms is ineligible for reappointment for four consecutive years.”*

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Kurfees said that Westerville has a one seven year term limit for trustees, as does Worthington. He said that Columbus Metropolitan Library has a two seven year term limit for trustees. He said he favors adoption of term limits because it would allow more participation of citizens from the community, it reflects what other libraries in the area are doing and it would avoid the creation of a culture by longer term members. Therefore, Kurfees said he moved for the adoption of term limits. Motil offered a second to the motion.

There was discussion on the motion. Motil asked why the proposal was for four years. Kurfees noted that since that was the current term, it made sense to continue the four year rotation, with a maximum of two term and a four year period before an individual could return to the board. Motil asked about the term for Columbus Metropolitan Library.

Lynda Murray, from OLC, confirmed that Columbus Metro did have a recommended two seven-year term limit. She did note that Columbus was a county library, while UAPL is a municipal library. Murray said that at the trustees training referred to by Kurfees, Jon Iten legal counsel for OLC, recommends that libraries not adopt term limits, because state statutes would override the policy. She noted that statewide, only about 10% of libraries in Ohio have a term limit policy in place.

Murray said that the taxing authority for the library overrides the library's policy because the taxing authority grants the library the authority to make policy. She said that if the Board as a whole or as individuals, feels that term limits are appropriate, the way to handle that is to not agree to serve additional terms if asked. She said that the Board does not have the authority to mandate term limits by the taxing authority. Magill noted that under the ORC, the term for a municipal library trustee is four years.

Kurfees said that whether through enacted bylaws or informal means, Westerville and Worthington made it clear that the expectation is for a person to serve only one term. Murray said that those libraries do not have a formal term limit bylaws. Kurfees reiterated that single terms would encourage more citizen participation in the process and avoid the promotion of a culture or the potential of a culture created by long term board members. He said that he felt this was a wise practice.

Magill said that he vehemently disagreed. He said that the Constitution devised by the founding fathers unanimously voted against term limits. He noted that such limits deprive the public of wisdom and experience that comes only with the successes and follies that comes with living life and doing things. Magill said that the Supreme Court has ruled on this and Justice Stevens said that this practice deprives the citizenry of the ability to discern the nuances as they occur that come from experience. Magill also pointed out examples from private industry where experience is valued. For these reasons, Magill said he disagrees with the proposal. Magill noted that the statute allows the mayor to make changes in personnel as terms expire.

Perera noted that the term limits in effect at the state and municipal level are enforceable, in that they have been enacted by law. He said that the current proposal, in effect says that we are telling our appointing authority what they may or may not do in terms of appointments. He noted that this policy would be preempted by law and is not enforceable. Perera said that members who feel that they do not want to be considered for additional terms could individually file a written statement with the mayor's office to reflect this.

Perera also said that he has concerns because the current language of the proposal does not apply uniformly to the entire current board. Kurfees said that most language allows for mid-term appointments and the considerations for such appointments. Kurfees said he could return to Westerville and Worthington to see what language they use for the eventuality of mid-term appointments that discourages long term appointments.

Burtch asked if Kurfees had checked with any of the other Upper Arlington municipal Committees or Boards. Kurfees said that he had contacted only the school board and that they have no term limit policy. Burtch said he had concerns that the policy could put the Board at odds with the mayor. Motil agreed with this. Burtch said that the mayor cherishes his ability to appoint people to Boards and that by setting up term limits, the Board would be invading that area that is in the mayor's purview. He also notes that the mayor has generally solicited input from the Board and the Library Director when it is time to appoint trustees. Kurfees said that he did call the mayor to see if he had an issue with the proposed policy, but did not hear back from him.

VOTING AYE: Kurfees. VOTING NAY: Burtch, Magill, Motil and Perera. Motion failed for lack of a majority.

ADJOURNMENT

Motil made a motion to adjourn. Perera seconded the motion. VOTING AYE: Perera, Kurfees, Motil, Magill and Burtch. VOTING NAY: None.

Meeting adjourned at 5:55 p.m.

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John Magill, President

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John H. Burtch, Secretary