

**DETROIT LIBRARY COMMISSION PROCEEDINGS****REGULAR MEETING****SEPTEMBER 17, 2013**

President Bellant called the Regular Meeting of the Detroit Library Commission to order at 1:36 p.m.

Present: President Bellant, Commissioners Jackson, Lemmons, Quarterman and Thomas

Excused: Commissioner Hicks

Administrative Staff: Mondowney, Machie, Moore, Norfolk and Powell

Present Also: Janet Batchelder, Khamisi Benford, Cheryl Blessett, Paulette Boggs, Ronald Brooks, Margaret Bruni, Brian Camiller, Lurine Carter, Enid Clark, Deborah Dorsey, A.J. Funchess, Randy Gies, Victor Ibegbu, Todd Kelly, Kelley Kencik, Norrie Knight-McKinney, Michael McElgunn, Patrice Merritt, Carolyn Mosley, Yvette Rice, Alma Simmons, Tiffani Simon, Kevin A. Smith, Laurie Stuart, Steve Teeri, Talisha Williams, Tracey Wyatt and others

**APPROVAL OF MEETING MINUTES**

The minutes of the Regular Meeting of June 18, 2013, Special Meeting of June 25, 2013 and Special Meeting of July 9, 2013 were approved as presented.

**PUBLIC COMMENTS**

There were no public comments.

Minutes were approved at the October 15, 2013 Commission Meeting

## **REPORT OF THE PRESIDENT**

President Bellant acknowledged that Commissioner Hicks was excused from the meeting because of a family emergency.

President Bellant also extended condolences on behalf of the Detroit Library Commission to Commissioner Quarterman and her family for the loss of her mother-in-law, Mrs. Dorothy Chennautt Morris.

President Bellant welcomed Mr. Kevin A. Smith, Chief of Staff, Office of the Detroit Public Schools Emergency Manager.

President Bellant reported that he, along with Commissioner Lemmons and Mrs. Mondowney, met with Mr. Jack Martin, Detroit Public Schools Emergency Manager (EM), to discuss the impact of the recent court ruling under Public Act 436 that the EM has the authority to appoint and remove Detroit Library Commission members.

President Bellant reported that Commissioner Lemmons, Detroit Public School Board President, had drafted a resolution relating to the issue with the EM. The resolution read as follows:

### **Resolution on Maintaining the Independence of the Detroit Public Library**

**Whereas**, there are no greater roles for the Detroit Library Commission than to ensure funding and maintain the independence of the Detroit Public Library (DPL), and

**Whereas**, the independence of libraries has been part of an American tradition to provide access to the widest possible range of opinion without direct political control from other local or state entities, and

**Whereas**, the State of Michigan incorporated the Detroit Library Commission by statute in 1903, granting the Detroit Board of Education the sole power to appoint Commissioners and no other role in Commission or Library affairs while naming the City of Detroit as fiduciary of the Commission, thus keeping the Commission independent of either the Board of Education and the City of Detroit, and

**Whereas**, the intended independence of the Commission is further evidenced by the 1903 statutory authority granted to the Commission to acquire land, build structures, receive dedicated taxation, enter into contracts, establish a seal, bring lawsuits and make governance decisions for the Library, and

**Whereas**, a recent court opinion has jeopardized the independence of the Library by asserting that Detroit Library Commissioner members are a "component" of the Detroit Board of Education, and

**Whereas**, that same opinion asserted that Detroit Library Commission members can now be removed by those who govern the Detroit Public Schools, making Commissioners at-will appointees, therefore be it

**Resolved**, that the Detroit Library Commission direct Special Counsel to seek clarification to reestablish the independence of the Detroit Library Commission and thus the Detroit Public Library.

### **COMMISSION ACTION**

Commissioner Lemmons made a motion to adopt the Resolution on Maintaining the Independence of the Detroit Public Library. Commissioner Quarterman supported.

### **Discussion**

Commissioner Jackson said he thought the resolution was disingenuous because he was appointed by an EM and several Commissioners asked him to resign because of the appointment. The matter was then taken to court to remove him from the Commission but it was ruled that the EM did have the authority to appoint Commissioners.

Commissioner Jackson said the resolution was also disingenuous because it states that certain members of the Commission are opposed to outside influences making decision within the Detroit Public Library when they are in fact using the library to further the interest of the Detroit Public School Board.

Commissioner Jackson said that a \$30,000 no-bid, non-refundable contract was approved for the Sugar Law Firm and the Sanders Law Firm to fight the Emergency Manager on behalf of the Detroit Public Library. He said the library does not have an issue with the EM, however, the Detroit Public School Board does. He said this is an attempt by certain Commissioners to use the library as a funding source to fight the Detroit School Board battle with the EM.

Commissioner Quarterman said she would like to receive clarification on the authority that the Detroit Public School Board has over the Detroit Library Commission and when did the Detroit Library Commission become a component of the Detroit Public School Board.

President Bellant expressed his concerns regarding the long-term impact of the authority to appoint and remove Commissioners after the Emergency Manager is gone.

Commissioner Lemmons attempted to explain the differences between Public Act 4, Public Act 72 and Public Act 436 and how they related to the Detroit Library Commission.

Commissioner Thomas said it was inappropriate for the Detroit Library Commission to adopt a resolution that supports the Detroit Public School Board being against the Emergency Manager. He said the resolution was a further distraction for the Commission to take care of business for the Detroit Public Library.

Commissioner Jackson asked Mrs. Mondowney if the Sugar Law Firm and the Sanders Law Firm had been paid and what services were received for the \$30,000?

Mrs. Mondowney replied yes. She said they provided services directly to the Commission.

Commissioner Thomas said the Detroit Library Commission is a policy-making board that operates in terms of developing policies for the Detroit Public Library. The Commissioners should not be concerned with who makes the appointments to the Commission.

He said if there is an issue of who has the appointing authority, then that issue is between the Detroit Public School Board and the Emergency Manager.

Commissioner Quarterman asked if the Sugar Law Firm and the Sanders Law Firm had spent any of the \$30,000 received?

Mrs. Mondowney said the funds had been allocated, however, DPL have not received any invoices.

Commissioner Jackson stated that DPL is already engaged with another law firm that they spend nearly \$1,000,000 annually to handle legal matters.

Mrs. Mondowney clarified that DPL's attorneys are paid-as-needed. She said DPL has not spent \$1,000,000 this year and most of the funds that have been spent were related to the FBI investigation.

Commissioner Jackson stated that the resolution was inappropriate and asked Commissioner Quarterman respectfully to remove her support for the resolution.

Commissioner Quarterman said respectfully "no."

### **COMMISSION ACTION CONT'D**

A vote was taken to adopt the Resolution on Maintaining the Independence of the Detroit Public Library with the following results:

Commissioners Bellant, Lemmons and Quarterman voted yes.

Commissioners Jackson and Thomas voted no.

The motion carried.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### **Clara Stanton Jones Recognition**

Mrs. Mondowney reported that in February 2013, the Detroit Library Commission honored the life and legacy of Clara Stanton Jones, DPL Director, 1970 -1978, by renaming Friends Auditorium as the “Clara Stanton Jones – Friends Auditorium.” The public is invited to a special program at 3 p.m., Saturday, October 19, 2013, in the auditorium. The guest speaker will be Dr. Haki R. Madhubuti, poet and founder and president of Third World Press in Chicago. The event is open and free to the public.

### **8<sup>th</sup> Annual Family History Festival**

Mrs. Mondowney reported that DPL’s Burton Historical Collection is sponsoring the 8<sup>th</sup> Annual Family History Festival on Saturday, September 28 at Main Library. The day-long festival is co-sponsored by the Detroit Society for Genealogical Research, the Fred Hart Williams Genealogical Society, the Detroit Public Library Friends Foundation, the Louisa St. Clair Chapter of the Daughters of the American Revolution and the St. Andrew's Society of Detroit.

### **Summer Reading**

Mrs. Mondowney reported that the Detroit Public Library’s summer reading program included two special activities this year. Students from 16 branches participated in “Park & Read,” sponsored by the state of Michigan. This day-outing took summer readers to one of three state parks: Mayberry, Island Lake or Proud Lake, for fishing, archery, and nature exploration. In addition, summer readers from two branches, Children’s Library and the HYPE Teen Center, visited the Edsel Ford House for an “Alice in Wonderland” themed day. This outing was sponsored by the Edsel Ford Foundation.

### **Talk to Me**

Mrs. Mondowney reported that the Detroit Public Library is partnering with the Detroit Young Professionals organization to present a new author series entitled, "Talk to Me," a conversational evening featuring an author who is interviewed by a local media personality. More than 200 people attended the inaugural program, "Talk to Me: An Evening with Charlie LeDuff," on July 25 at Main Library. He is the author of *Detroit: An American Autopsy* and is a reporter for Detroit's Fox2. Mr. LeDuff was interviewed by his Fox2 colleague Alexis Wiley. The next conversation will be held on October 1 with author Terry McMillan who will discuss her new book, *Who Asked You?* with Andrew Humphrey of WDIV Channel 4. There will be an audience Q & A, followed by a book signing.

### **First Container & "Book-in-a-Box" Club**

Mrs. Mondowney reported that this summer the Detroit Public Library established a new partnership with First Container, a shipping container that serves as a community gathering space in Detroit's Eastern Market. First Container was the site for two DPL-sponsored author talks: in June, Mark Binelli, author of *Detroit City is the Place to Be*; and in July, Shaka Senghor, author of *Writing My Wrongs*. The partnership also includes the "Book-in-Box" Club, which allows participants to borrow multiple copies of a specific title about the Detroit experience and hold book club meetings in the First Container.

### **Music in the Air**

Mrs. Mondowney reported that DPL's Main Library hosted the Urban Stringz II summer camp concert on August 3, as part of ARISE Detroit Neighborhoods Day, a day filled with cultural and recreational activities for children and adults in the city's many neighborhoods. Urban Stringz II promotes the value of musical education for young people in the city by providing violin lessons during a two-week summer camp.

### **Wayne County Delinquent Taxes**

Mrs. Mondowney reported that on July 2 DPL received \$3.75 million from Wayne County for FY 2013 delinquent property taxes.

### **State Funding**

Mrs. Mondowney reported that during the summer, two State Aid payments were received: DPL, \$178,332 was received on August 12; LBPH, \$20,535 was received on July 17. On August 23, DPL also received \$928,215 in Renaissance Zone funding.

### **COMMENTS**

Commissioner Thomas asked what was the status of DPL's two bookmobiles?

Mr. Cledos Powell, Assistant Director for Facilities, stated that one of the bookmobiles was operable and the other one had caught fire and burned beyond repair.

Commissioner Thomas asked what was the timeframe in replacing the inoperable bookmobile?

Mr. Powell replied that the replacement check for the bookmobile was not enough to cover the costs of a new one. Other options are being investigated such as downsizing the bookmobile to equal the amount of the check or replacing the full bookmobile and adding additional funds to the replacement check.

Commissioner Thomas asked if bids had been sent out to review the replacement cost of the bookmobile?

Mr. Powell said no because of DPL's financial situation.

Commissioner Thomas said that if \$30,000 could be set aside to fight a battle for the Detroit Board of Education with Emergency Manager, then funds should be available to replace the second bookmobile.

Commissioner Quarterman said she was concerned that the Detroit Public Library does not have a Development Department and would like to see one established as the library moves forward.

President Bellant expressed his concerns regarding an upgrade to the Burton Historical Collection computers rendering them unable to access a subscription DPL has for genealogical research. He said he would like to know what could be done to rectify the situation.

President Bellant asked what was the timeframe on the completion of the Cass Circular Drive project?

Mr. Powell replied it was anticipated to be completed around October 18<sup>th</sup>.

President Bellant asked what was the status on digitizing materials in the Burton Historical Collection?

Mrs. Mondowney said the Friends Foundation had given DPL \$35,000 towards the software that extends the digitization. She said additional funds are needed to match that amount and it will be presented to the Commission for approval.

## **COMMITTEE ON ADMINISTRATION**

### **Authorization to Approve the Human Resources Routine Report**

Commissioner Lemmons reported that the Human Resources Department Report provides information regarding personnel actions taken from June 1, 2013 – August 31, 2013. These actions have been approved by Administration.

### **APPOINTMENT (0)**

### **RETIREMENTS (1)**

Employee Name	Last Day Worked	Retirement Date
Bernadette Charles	June 28, 2013	<b>August 22, 2013</b>

### **SICK LEAVE PAYOUTS (0)**

### **POTENTIAL RETIREMENTS (2)**

One employees has submitted Letter of Intent to Retire

### **SEPARATIONS (3)**

Kalimah Lane, Customer Support Representative, August 31, 2013

### **EMPLOYEE HEADCOUNT**

Headcount – May 2013	Headcount – August 2012
335 Active Employees <sup>1</sup>	335 Employees <sup>2</sup>

### **COMMISSION ACTION**

Commissioner Lemmons made a motion to approve the Human Resources Routine Report. Commissioner Quarterman supported. The motion carried.

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Authorization to Approve the Appointment of the Chief Financial Officer –Closed Session

Commissioner Lemmons called for a motion to go into closed session to discuss the appointment of the Chief Financial Officer. President Bellant supported. President Bellant asked for a roll call vote. Commissioners Jackson, Lemmons, Quarterman, Thomas and President Bellant voted in favor of the closed session. With a more than two-thirds majority voting in the affirmative, President Bellant declared that the closed session would begin. The members of the public and library staff were excused.

The closed session began at 2:47 p.m.

The closed session ended at 3:23 p.m. and the public meeting reconvened at 3:25 p.m.

**COMMISSION ACTION**

Commissioner Lemmons made a recommendation to offer the position of Chief Financial Officer to Mr. Brian J. Camiller, C.P.A. The recommendation was supported by Commissioner Thomas and unanimously carried.

**AUDIT COMMITTEE**

Authorization to Extend the Current Auditor's Contract (Abraham & Gaffney) to cover the 2013 Fiscal Year

Adopt a Policy Indicating an Auditor will provide no more than Seven Years of Auditing Services to DPL

Issue a RFP for 2014 Fiscal Year Auditing Services

## **COMMISSION ACTION**

Commissioner Lemmons made a motion to extend the current auditor's contract (Abraham & Gaffney) to cover the 2013 fiscal year; adopt a policy indicating an auditor will provide no more than seven consecutive years of auditing services to DPL and issue a RFP for 2014 fiscal year auditing services. Commissioner Thomas supported the motion. Commissioner Jackson voted no. The motion carried.

## **NEW BUSINESS**

### **Friends Foundation Update**

Ms. Patrice Merritt, Executive Director of the Detroit Public Library Friends Foundation, reported that the Mt. Elliott Makerspace will be receiving \$50,000 from Kresge for Makerspace opportunities in area libraries. Kresge asked the Friends to serve as fiduciary for Mt. Elliott. This is a very complimentary act on behalf of Kresge toward the Friends. Faith and trust is paramount and having Kresge ask the Friends to serve is an honor.

Ms. Merritt reported that she will be distributing a grant report to the Friends Board members that will itemize all the grants the Friends Foundation have applied for and will be applying for and the status of those grants. A copy will be made available to the Commission.

She said one of the highlights was that Hudson-Weber increased the Friends Operating Grant from \$10,000 to \$20,000.

Ms. Merritt thanked Ms. Paulette Boggs, Acting Manager for Human Resources, for organizing a meeting with Ms. Mabel Jones, Director of Corporation Responsibility and Contributions – AAA. Ms. Jones asked Ms. Merritt to submit a grant request for a bike technology program at Main Library and a branch located in the Brightmoor Neighborhood.

Ms. Merritt reported that the Chrysler Corp donated of over 2000 books and is providing continued support of the after school snack program. Chrysler did a wonderful press release about the program and DPL was a major component of the release.

Ms. Merritt reported that the Friends Trustees allocated \$5,000 for the Special Collection supplies budget for the year.

Ms. Merritt reported that the Family History Festival will be Saturday, September 28, 2013 and the Friends will provide airfare and hotel costs for out of state speakers.

The Pewabic Friends event will be held on October 19, 2013.

The amounts of support for the Hackley Concert are as follows:

- The Record Sale on August 2, 2013 (\$2,500)
- The Staff Association (\$500)
- \$3,000 is expected from Comerica and grant app to Michigan Humanities Council in due within weeks.

Ms. Merritt reported that the Redford Branch received a \$10,000 Prevention Network grant for its teen summer reading program.

The Conely Branch celebrated its 100th Anniversary with a play about the branch that was written, produced and choreographed by the neighborhood children in the Conley Branch community. Many family and friends attended this event and an encore presentation will be held at the Main Library on Saturday, September 28, 2013.

The event is sponsored by The Friends Foundation in partnership with Matrix Theatre Company. The children will be traveling as a "troupe" to the Main Library. The Friends Foundation will cover the cost of transportation.

Ms. Merritt reported the following donations to start up the Detroit Public Library Tour Program:

- \$4,000 form Quicken Loans
- \$1,000 from Redco

Ms. Merritt reported that a group of architectural students from Lawrence Tech toured the Main Library. The students' semester project is to develop an addition to the Main Library in keeping with its 1921 design and the 1960's addition.

Ms. Merritt thanked the Detroit Public Library for the use of the Friends Conference Room. The Friends Foundation, Wayne State University Libraries, Michigan Humanities Council and Wayne State University Press, hosted a welcome reception for the new executive director of the Michigan Humanities Council, Eric Nordberg. The 20 guests included members from the cultural community of Detroit.

Ms. Merritt reported that the DPL Friends Foundation has a line item budgeted for a grant writer to be shared equally by the DPL and The Friends. The Board has approved this allocation. The Foundation is waiting for input from the Detroit Public Library as to their grant writing needs. There will be no cost to the Detroit Public Library.

Minutes were approved at the October 15, 2013 Commission Meeting

**OLD BUSINESS**

Commissioner Thomas asked what was the status on the Tax Captures?

Mrs. Mondowney said that there was a bill in the legislature exempting the Detroit Institute of Arts and the Detroit Zoo from tax captures as a result of the millage.

Mrs. Mondowney said she was in contact with the Michigan Library Association Director, Gail Madziar, who is collectively trying to get libraries across the state to also be a part of this bill.

A meeting was held on September 9<sup>th</sup> to begin to create strategies as to how libraries could benefit from being exempt going forward from tax captures. It is looking hopeful that the Detroit Public Library could benefit from this bill.

Commissioner Thomas asked what was the status on the Executive Director's Evaluation?

Commissioner Lemmons said it was in the process and he will work expeditiously on moving this matter forward.

The meeting was adjourned at 3:50 p.m.

