

DETROIT LIBRARY COMMISSION

REGULAR MEETING

April 21, 2009—1:30 p.m.

AGENDA

- I. Reading of the Minutes of the Regular Meeting of March 17, 2009 and the Special Meeting of April 2, 2009 – *Action Items*
- II. Public Comments
- III. Report of the Director
- IV. Report of the Executive Director for DPL Friends Foundation
- V. Committee on Administration – *Action Items*
 - Routine Report on Human Resources
 - Deputy Director's Contract Renewal
 - IUOE Local 547 Contract
 - Memorial Resolution for Aldo Vagnozzi
 - Travel Policy for Commissioners
- V. Audit Committee
 - Recommendations of the Audit Committee – *Action Item*
(*Tabled from March 17th Meeting*)
- VI. Committee on Buildings – *Action Item*
 - Lothrop Branch
- VII. Executive Session
 - Attorney/Client Matter
- VIII. Committee on Finance – *Action Items*
 - Routine Report of Committee on Finance
 - Fund Advance Agreement for Detroit Library Foundation
(*Tabled from March 17th Meeting*)
- IX. Adjournment

DETROIT LIBRARY COMMISSION PROCEEDINGS

Regular Meeting
April 21, 2009

President Hill called the Regular Meeting of the Detroit Library Commission to order at 1:45 p.m.

Present: President Hill, Commissioners Bellant, Keith, Kinloch, Thomas, and Washington

Otis Mathis, Liaison to Detroit Board of Education President

Administrative staff: Skowronski, Cromer, Machie, Moore, and Norfolk

Commissioner Bellant left at 5:25 p.m. and Commissioner Washington did not rejoin the Regular Meeting after the Executive Session

Present also: Darlean Bridges, Margaret Bruni, Ronald Bryant, Randy Call, Atiim Funchess, Sianee Hawkins, Todd Kelly, President AFSCME 1259, Patrice Merritt, Kathleen Newman, Uzo Onyemaechi, Rosemary Patterson, Cledos Powell, Michael Wells, President UAW Local 2200, and Conrad Welsing,

PUBLIC COMMENTS OR REMARKS

Kathleen Newman said in a dream there are no problems, just solutions, and she would keep pushing to have a library on the Riverfront. She said she met with Juliet Machie and has spoken with Sherry Washington. Ms. Newman expressed her enthusiasm and commitment to work with the Library and to do whatever she can to promote the "river of knowledge". President Hill thanked her for her persistence and noted that it was good to hear from the community.

MINUTES

The Regular Meeting Minutes of March 17, 2009 were discussed at length.

Discussion

Commissioner Kinloch said Mr. Mathis should not be listed as present in the "Present" section nor should he be listed as absent; this was misleading, as it appears he is part of the quorum. Mr. Mathis does not have an "official capacity" on the Commission.

Mr. Mathis mentioned an opinion from 1968, Frank Kelly, that stated the designee should be marked present but not the ex-officio. Commissioner Kinloch disagreed on the relevance of the opinion.

Commissioner Bellant said the way the liaison was listed in the minutes was okay. President Hill added listing the liaison in this way informs us that someone is representing the Detroit Public Schools.

Commission Action

Commissioner Kinloch moved to change the way the minutes list the liaison and place his name under the "Present also" section. Commissioner Thomas seconded the motion. The motion failed with one yes vote, one abstention, and four no votes.

President Hill thanked Commissioner Kinloch for his diligence.

Commissioner Washington requested the minutes reflect other comments she made about the report.

Commission Action

Commissioner Kinloch moved to approve the minutes with any corrections. Mr. Tarnacki, Clark Hill attorney, recommended waiting to approve the minutes until after the executive session. Commissioner Kinloch withdrew his motion to approve the minutes.

Commission Action

Commissioner Kinloch moved to approve the Special Commission Meeting Minutes of April 2, 2009. Mr. Mathis asked to have the minutes changed to show that he was asked to leave instead of being excused. Commissioner Kinloch said the minutes should show that he joined the executive session late; therefore, he was present part of the time. Mr. Tarnacki confirmed 3:20 p.m. was the time Commissioner Kinloch joined the meeting via telephone. Mr. Mathis later withdrew his request to change the minutes.

The minutes of the Special Meeting of April 2, 2009 were approved with the necessary corrections to be made.

Report of the Director

Computer Literacy--DPL Staff Member Honored

Ms. Skowronski reported that Sianee Hawkins, Customer Support Assistant at the Parkman Branch Grandparents Cyber Center, would be an honoree at the *Silent Heroes Night Awards*, April 25th at the Detroit Opera House. She was being recognized for her work and dedication to help seniors learn computer

skills; she created a manual that the Library uses to promote computer literacy to seniors.

Staff Association 2009 Annual Spring Banquet

Ms. Skowronski reported that on Saturday, March 21, 2009, the annual staff association banquet was held at Main Library. New employees were acknowledged and five staff members received pins for 25 years of service. Recipients of the Alma Josenhans Scholarship were Cynthia Coleman and Nicole Howard. The General Employees Merit Award went to Robert Marcelain, Circulation Manager. Michael S. Wells received the Library Staff Memorial and Fellowship award as current librarian and Yvette L. Shane was the recipient of the retired librarian award.

51st Annual Local History Conference

Ms. Skowronski reported that *Michigan in Perspective: The Local History Conference* was held last week, April 17-18, 2009. The Historical Society of Michigan in combination with the Detroit Historical Society, Wayne State University, and the Detroit Public Library presented the conference. On Friday, over a hundred people came to hear Professor Margaret Washington talk about her book "Sojourner Truth's America" and on Saturday, Dr. Lupton talked about the Abraham Lincoln Digital Collection. The conference was a great success. Thanks go to John Gibson and Mark Bowden of the Special Collections staff for coordinating the event.

Funding

Ms. Skowronski informed the Commission that the State of Michigan issued a check for \$309,923.76 for the first 50% State Aid Payment. The second payment is due this summer.

Events

Financial Literacy--Money Smart Week

Ms. Skowronski said we could learn to be money Smart--April 18-25, 2009, the 6th annual *Money Smart Week* offered more than 315 free educational classes, seminars and activities around the state featuring financial topics for all ages. Sponsored by the Federal Reserve Bank of Chicago and DPL, these events support financial education.

HYPE Center

Ms. Skowronski said a career fair and reception would be held on Friday, April 24th from 4 – 9 p.m. in the H.Y.P.E. Center, History and Travel & Friends Auditorium. BET's Jeff Johnson would be the keynote speaker with Q & A.

Michigan Notable Book Authors

Ms. Skowronski noted that the following authors would be at DPL:

Patrick Livingston, the author of "Summer Dreams: The Story of Bob-Lo Island" would present his nostalgic book at the Hubbard Branch Library on Wednesday, April 29th at 6:00 p.m.

Cynthia Furlong Reynolds, author of "Jiffy: A Family Tradition, Mixing Business and Old-Fashioned Values" about the Chelsea Milling Company, the town, and the family that owned it. The author visit would be Saturday, May 2, 11:00 a.m. in the Business, Science & Technology Department.

Michael Rosenberg, author of "War as They Knew It: Woody Hayes, Bo Schembechler, and America in a Time of Unrest" would visit Elmwood Park Branch on Saturday, May 9, 11:00 a.m. The football rivalry between U of M and Ohio State took place in the late 1960's and early 70's coinciding with political and social disturbance and the Vietnam War protests.

Duffield Branch Library would host author *Deborah Smith Pollard*, "When the Church Becomes Your Party: Contemporary Gospel Music" on Thursday, May 28, 6:30 pm. She provides an overview of the contemporary gospel music scene in Detroit and explains the changes from the past.

Report of the Executive Director of the DPL Friends Foundation

Ms. Merritt reported that the Detroit chapter of The Links, Inc. made a three-year commitment to help with the printing costs of the *African American Booklist*.

Ms. Merritt reported that in late May, she, Lurine Carter, Nancy Skowronski, and a representative from Wayne State University have agreed to meet with several members of the Kresge Foundation to help educate assist them on issues facing public libraries nationwide. The Kresge Foundation receives numerous requests from libraries for funding and this information would give them a better understanding of library needs.

The Friends would contribute \$10,000 over a two-year period to support paying a cataloger to catalog the Rare Books Collection. The result would allow DPL and customers to know actually what we have in this collection.

Ms. Merritt announced:

- Used Book Sale would be held May 1 & 2 to benefit Summer Reading 2010.
- Author Day event would be on May 12 and 13, 2009. The winning author was Alex Flynn who wrote *Beastley*.
- DPL, Friends, ACLU, and New Detroit would host a swearing-in ceremony for approximately 130 new citizens on May 22 in the Friends Auditorium.
- The annual Friends meeting would be June 15 at 6:00 p.m. in BHC.

REPORT OF COMMITTEES

COMMITTEE ON ADMINISTRATION

APPOINTMENTS

Nicol Paige was appointed to Staff Development Specialist effective April 6, 2009.

PROMOTIONS

Kalana Cooper was promoted to Customer Support Assistant effective April 14, 2009.

Yvette Rice was promoted to Administrative Assistant-II effective April 6, 2009.

Seantelle Williams was promoted to Customer Support Assistant effective March 30, 2009.

Cheryl Blessett was promoted to Accounts Payable Manager effective March 16, 2009.

Matthew Lewis was promoted to Customer Support Assistant effective February 17, 2009.

RETIREMENTS

Marian Rodgers, effective March 20, 2009.

Jennifer Brown, effective March 20, 2009.

Darlean Bridges, effective March 19, 2009.

Barbara Louie, effective March 12, 2009.

Kathryn Kengel, effective February 24, 2009.

Commission Action

On motion of Commissioner Keith, seconded by Commissioner Thomas, these personnel actions were supported and unanimously adopted.

Presentation of Retirement Certificate

President Hill presented a retirement certificate to Darlean Bridges, former Coordinator of Popular Library, and thanked her for 36 years of dedication. Ms. Bridges said she enjoyed her stay at DPL; she also met her husband at the Library. She came from Dallas, Texas, as a former school librarian and began

her stay at DPL as a children's librarian on the Funmobile, a replica of the Bookmobile, showing movies and doing crafts with children. Ms. Bridges thanked the Commissioners; she appreciated their work.

Authorization to Renew the Deputy Director's Contract

Commissioner Keith reported that the Deputy Director's contract was approved on December 20, 2005, for three years. The Committee on Administration met to review the Deputy Director's contract and recommended a renewal for three years. A goals-based biannual evaluation was built into the terms of the contract.

Commission Action

On motion of Commissioner Keith, seconded by Kinloch, the renewal of the Deputy Director's contract for three years, effective through April 21, 2012 was supported and unanimously adopted.

Approval of International Union of Operating Engineers (IUOE) Local 547 Collective Bargaining Agreement

Commissioner Keith reported that Human Resources requested that the Collective Bargaining Agreement between the Detroit Library Commission and the International Union of Operating Engineers (IOUE) Local 547 be approved.

The Collective Bargaining Agreement covers the period from October 1, 2007 through September 30, 2017 with an economic wage re-opener effective October 1, 2009.

Commission Action

Commissioner Keith moved to approve the Collective Bargaining Agreement, Commissioner Washington seconded, the motion carried with five yes votes, and one abstention by Commissioner Bellant.

Approval of Memorial Resolution for Mr. Aldo Vagnozzi

Detroit Library Commission
Memorial Resolution
Mr. Aldo Vagnozzi
October 4, 1925 – March 22, 2009

WHEREAS, Aldo Vagnozzi was dedicated to a life of public service as a member of the Farmington School Board, and the Farmington Hills City Council; and

WHEREAS, Mr. Vagnozzi served as mayor of Farmington Hills from 1995 – 1999, and served three terms as a member of the Michigan State House of Representatives from 2002 – 2008; and

WHEREAS, Mr. Vagnozzi was a supporter of the Detroit Public Library, in particular, and the role of public libraries, in general, throughout the State of Michigan; and

WHEREAS, the Detroit Public Library could count on his strong advocacy for public libraries and the important role of these institutions in enhancing the lives of citizens of all ages, and

WHEREAS, his engaging personality, hearty laughter and concern for the quality of life for people throughout Southeast Michigan, are characteristics of a life well lived, NOW, THEREFORE, BE IT

RESOLVED, that the Detroit Library Commission and the staff of the Detroit Public Library extend to the family of Mr. Aldo Vagnozzi our deepest sympathy on the occasion of his death, and that we celebrate his longtime love of public libraries as community centers for literacy and life long learning.

Commission Action

Commissioner Keith moved to approve the resolution for Aldo Vagnozzi; seconded by Commissioner Thomas, the motion carried.

Approval of Revised Travel Policy for Detroit Library Commissioners

Commission Keith reported that the Travel Policy needed changes to clarify procedures. These changes included budgeting a stipulated amount of \$6,000 per fiscal year per Commissioner. Commissioners would be able to decide on their own which conferences to attend in the best interest of the Library. Travel arrangements are consistent with DPL Employee's Travel Policy and Procedures.

Commission Action

Commissioner Keith moved to approve the revised Travel Policy for Detroit Library Commissioners; Commissioner Kinloch seconded. No vote was taken; deferred to attorney/client discussion item for the Executive Session.

AUDIT COMMITTEE

Approval to Accept the Recommendations of the Audit Committee

Commissioner Thomas reported that the Audit Committee Recommendations were tabled until today's meeting.

On June 26, 2008, an incident involving a vendor, LRM Consultants, was reported by Tim Cromer to Director Nancy Skowronski. Under the procedures outlined in the Detroit Public Library's Whistleblower Policy, Director Skowronski referred the matter to the Chair of the Audit Committee. After reviewing the information presented, the Audit Committee voted to retain outside counsel to conduct an independent investigation.

On August 12, 2008, attorney John Perrin was retained to conduct the investigation, which was completed in February 2009, as evidenced by a comprehensive report and recommendation. A copy of the report has been provided to all of the members of the Detroit Library Commission and Mr. Perrin met with the Audit Committee on Thursday, March 12, 2009 to answer any questions that the committee members may have. Following the meeting with Mr. Perrin, the committee unanimously voted to make the following recommendations to the Commission:

1. That the Commission debar LRM Consultants and Laura Moseley from bidding on or being engaged to do work of any type for the Detroit Public Library for a period of five (5) years.
2. That the Commission promulgate rules for the duties, responsibilities and limitations on the officers and members of the Detroit Library Commission as it relates to the daily operation of the Library and contracting.
3. That the commission promulgate rules defining the duties and powers of the office of President, Vice-president and Secretary of the commission as well as the duties and powers of commissioners in general.
4. That the Commission institute a formal policy that addresses the obligation of vendors, employees and commissioners to cooperate fully with any investigation that focuses on any activity, which is violative of Detroit Public Library policies and procedures.
5. That the Commission institute a policy which specifies in particular the prohibition against commissioners engaging in conduct which interferes with the administrative staff's functions as it relates to the daily operation of the Library.
6. That oversight of the recommendations is to be under the authority of the Committee on Audit per the duties imposed on the committee by the Audit Committee Charter under **Duties and Miscellaneous** provisions.
7. That the Commission recommend to the administrative staff that the website and informational pamphlets for the DPL be updated and made more user friendly for prospective vendors.

Commission Action

Commissioner Thomas moved to accept the Audit Committee recommendations, Commissioner Kinloch seconded. No vote was taken at this time; discussion followed.

Discussion

Commissioner Washington said the recommendations dealt directly with staff and should be referred to the Committee on Administration; it traversed two committees. Commissioner Kinloch said the purpose of the Audit Committee was to issue the Whistleblower Policy and shouldn't be problematic; we have all had enough time and also had a discussion in a closed session on these issues. Commissioner Kinloch said referring the recommendations to the Committee on Administration would diminish the purpose of the Audit Committee and mentioned that two individuals named in the report sit on the Committee on Administration.

Commissioner Washington said the attorney was incompetent and the recommendations were unfounded. Commissioner Thomas asked which ones were unfounded; Commissioner Washington stated recommendation number two.

President Hill said recommendations number two, three and five should go to Committee on Administration; the rules and regulations should be applied to all commissioners and must be relevant. Commissioner Washington said the statements in the report were not true; Mr. Perrin recorded the facts wrong.

Mr. Mathis said the report pointed a finger but did not show that anything done was wrong. Commissioner Kinloch said Mr. Perrin had no reason to provide false statements and he disagreed with watering down the recommendations.

After further discussion about which recommendations items should be deleted or referred to the Committee on Administration, President Hill suggested a friendly amendment could be made to the recommendations; no agreement was reached. Discussion continued.

Commission Action Continued

The vote was now taken on the motion made to accept the Audit Committee recommendations. Commissioners Keith, Kinloch, Thomas voted yes; Commissioners Bellant, Washington, and Hill voted no. The motion failed.

Comments

Commissioner Kinloch reiterated how serious it was to vote it down; it was alarming not to recognize its importance and that this would blemish the integrity of this institution.

Commission Action

Commissioner Kinloch moved to refer the recommendations back to the Audit Committee; Commissioner Thomas seconded the motion. Commissioner Bellant was ready to move on Items one and four. Commissioner Kinloch withdrew his motion and Thomas seconded the motion to withdraw.

Commission Action

Commissioner Bellant moved to adopt recommendations one and four of the Audit Committee recommendations; the other recommendations would be referred to the Committee on Administration before being brought back to the Commission. Commissioner Kinloch seconded; the motion carried.

Comments

Commissioner Kinloch noted this was still a problem to have referred the recommendations to the Committee on Administration when two of the three Committee on Administration members that were named in the report were also on the Committee on Administration.

Mr. Cromer said he does not approve of the way things were being twisted thus undermining the entire Whistleblower Policy. The report was the proper way to handle the situation; 85% of the information in the report was accurate. The report should be acknowledged. The invoices were not paid. It was time to move forward. Mr. Cromer stands behind the report.

Commissioner Washington said if someone was going to quote someone, verify it. She said that sometimes the best of us make mistakes; that is why she questions the report, and that John Perrin made mistakes.

Commission Action Continued

Approval was requested on Audit Committee recommendations numbers one and four with the remaining recommendations referred to the Committee on Administration. The motion carried with five yes votes and one abstention from President Hill.

COMMITTEE ON BUILDINGS

Approval of Resolution for Terminating the Land Contract with the New Pentecostal Outreach Church of God in Christ

Commissioner Thomas reported that at the March 17, 2009 Commission Meeting, approval was given to send a *Notice of Default Letter* to the New Pentecostal Outreach Church of God in Christ regarding the former Lothrop Branch property.

After receipt of the default letter, dated March 20, 2009, and based on communications with the New Pentecostal C.O.G.I.C., it was apparent that the Church did not want to continue with the land contract; therefore, it was necessary to take action on terminating the land contract.

RESOLUTIONS

WHEREAS, the Detroit Library Commission (the "Commission") sold certain real property commonly known as 1529 West Grand Boulevard, Detroit, Michigan (the "Property") to New Pentecostal Outreach C.O.G.I.C. ("Purchaser") pursuant to a land contract dated May 12, 2003 (the "Land Contract");

WHEREAS, Purchaser failed to pay installments that became due under the Land Contract and to maintain the Property in accordance with the Land Contract and, as previously authorized by the Board of Commissioners of the Commission, written notice was given to the Purchaser of such defaults and demand made that such defaults be cured immediately pursuant to a letter dated March 20, 2009 sent by the Commission's counsel;

WHEREAS, such defaults have not been cured and based on communications with the Purchaser, it appears unlikely that such defaults will be cured; and

WHEREAS, the Committee on Buildings of the Commission believes it to be in the best interests of the Commission now to take such action as may be necessary or desirable to forfeit or otherwise terminate the Land Contract and recover possession of the Property.

NOW, THEREFORE, it is:

RESOLVED, that the Commission take such action as may be necessary or desirable to forfeit or otherwise terminate the Land Contract and recover possession of the Property; and

RESOLVED, that Nancy Skowronski, the Director of the Detroit Public Library, be, and she hereby is, authorized, empowered and directed to execute and deliver on behalf of the Commission such documents and take such other action on behalf of the Commission as she deems necessary or desirable to forfeit or otherwise terminate the Land Contract and recover possession of the Property.

Commission Action

Commissioner Thomas moved to approve the resolution to terminate the Land Contract with the New Pentecostal Outreach Church of God in Christ for the former Lothrop Branch property. Commissioner Bellant seconded; the motion carried.

EXECUTIVE SESSION

President Hill called for a motion to go into Executive Session to discuss attorney/client matters.

Commissioner Thomas made the motion to go into Executive Session; Commissioner Washington seconded. Commissioners Bellant, Keith, Kinloch, Thomas, Washington, and President Hill voted yes.

Staff and Otis Mathis, Liaison to the Detroit Board of Education President, were excused. The Executive Session began at 3:30 p.m. and ended at 5:10 p.m. The Regular Meeting resumed at 5:11 p.m.

Following the Executive Session, the Commission meeting resumed and staff rejoined the meeting.

Commission Action

Commissioner Keith moved to refer the Revised Travel Policy for Commissioners to the Committee on Administration for further review. Kinloch seconded the motion. The motion carried.

COMMITTEE ON FINANCE

Approval to Advance Funds to the Detroit Library Foundation

Commissioner Keith reported that the Detroit Library Commission approved the creation of the Detroit Library Foundation on June 3, 2008 for the primary purpose of providing additional funding to The Detroit Public Library for its capital improvements.

Advancing money to the Foundation was needed to encompass necessary expenditures for supplies and services. Detailed records would be kept of all activities and payments. The Foundation would repay the Fund Advance from its first unrestricted fundraising proceeds.

Discussion

Several Commissioners suggested referring the fund advance request back to Committee on Administration and the Committee on Finance for further review. Commissioner Kinloch said a budget should be received first. Mr. Cromer explained expenses have been incurred and invoices need to be paid. Ms. Skowronski said Mr. Remington has developed a framework and met with staff 10-15 times. A case statement is under development and must be done prior to speaking with potential donors.

Commissioner Kinloch said he wanted to be clear that the vote was on the \$90,000 without any detailed invoices. Commissioner Keith asked if his work was documented and he requested a detailed invoice. President Hill asked for greater details on work done. Ms. Skowronski said the Library is the fiduciary agent and Business Office would pay the invoices under a separate account.

Commission Action

Commissioner Keith moved to approve a \$90,000 advance to the Detroit Library Foundation to pay invoices for already incurred start-up expenditures. The motion carried with five yes votes and one no vote by Commissioner Kinloch.

Routine Report of Committee on Finance

The following accounts have been examined and found correct by the staff of Financial and Business Operations and ratification of payment was recommended.

Summary of Expenditures	
Burton Endowment Fund	\$86.61
Total vouchers 1811-1999	\$949,212.50
Total payroll & benefits	\$2,035,571.41
Grand Total	\$2,984,870.52

Maria Norfolk, Associate Director
Financial and Business Operations

Payment approved by the Committee on Finance.

Commission Action

On motion of Commissioner Keith, the recommendation of the Committee on Finance, as set forth above, seconded by Commissioner Kinloch, was unanimously adopted.

New Business

Commissioner Kinloch requested the Pension Fund executive come to discuss the City Pension Fund in light of the recent loss.

Commissioner Kinloch requested a list of delinquent books available for the Committee on Books.

President Hill asked about approval for payments on personal service contracts. Ms. Skowronski said the appropriate Commission Committee was informed.

There being no further business to come before the meeting, on motion made, seconded and carried, the meeting was adjourned at 5:30 p.m.