

**MINUTES OF THE BOARD OF TRUSTEES OF THE PUBLIC LIBRARY  
OF CINCINNATI AND HAMILTON COUNTY**

Date: September 8, 2009

Meeting: Regular

Place: Board Room - Main Library - 800 Vine Street

**REGULAR MEETING**

**ROLL CALL**

Trustees Present: Mrs. Gettler, Mr. Hendon, Mrs. Khoury,  
Mrs. LaMacchia, Mr. Moran and Mr. Sittenfeld

Trustees Absent: Mr. Wright

Present: Kimber L. Fender, Greg Edwards,  
Raymond Hils and Patricia Schoettker

**PUBLIC COMMENTS**

None.

**MINUTES OF THE REGULAR MEETING HELD AUGUST 11, 2009**

Mr. Moran moved that the Minutes of the Regular Meeting held August 11, 2009 be approved as submitted. Mr. Hendon seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. (50-2009)

**EXECUTIVE DIRECTOR'S REPORT**

2010 Library Closing Schedule

Ms. Fender submitted the following holiday closing schedule for 2010, noting that, in accordance with the Holiday Policy, employees are paid holiday time for all closed dates with the exception of Easter and the early closing on New Year's Eve.

Friday, January 1 – New Year’s Day  
Sunday, April 4 – Easter  
Monday, May 31 – Memorial Day  
Sunday, July 4 – Independence Day  
Monday, September 6 – Labor Day  
Thursday, November 25 – Thanksgiving Day  
Friday, December 24 – Christmas Eve  
Saturday, December 25 – Christmas Day  
Friday, December 31, - New Year’s Eve close at 6:00 p.m. (regular schedule)  
Saturday, January 1, 2011 – New Year’s Day

#### 2010 Board Meeting Dates

Ms. Fender submitted the following dates for the 2010 Regular Meetings of the Board of Library Trustees, noting that all meetings begin at 9:15 a.m. and are held at the Main Library:

Tuesday, January 12, 2010 (Annual and Regular)  
Tuesday, February 9, 2010  
Tuesday, March 9, 2010  
Tuesday, April 13, 2010  
Tuesday, May 11, 2010  
Tuesday, June 8, 2010  
NO JULY MEETING  
Tuesday, August 10, 2010  
Tuesday, September 14, 2010  
Tuesday, October 12, 2010  
Thursday, November 11, 2010  
Tuesday, December 14, 2010

Ms. Fender reported that:

#### Greg Edwards Appointed to ALA Subcommittee

- Greg Edwards, Library Services Director, has been selected to serve a two-year appointment on the American Library Association’s Annual Conference Program Subcommittee. The subcommittee identifies and develops public library programming for the ALA Annual Conference and approves individual programs, presenters and coordinators.

#### Ann Conway Elected to OLC Southwest Chapter Action Council

- Ann Conway, Reference Librarian at the Anderson Branch, was elected to a two-year term on the Ohio Library Council Southwest Chapter’s Action Council. This council is responsible for planning the Chapter Conference and keeping libraries within the Chapter informed about legislation.

#### MVP Awards

- MVP awards were presented to two staff members: Todd Neal, Security Guard/Operator, Safety and Security Services and Rob Ramsey, Custodial Services Manager, Facilities Department.

Mr. Moran moved that the Executive Director’s Report be approved as submitted, including the 2010 closing schedule and board meeting dates. Mr. Hendon seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. (51-2009)

## **LIBRARY SERVICES AND ADMINISTRATION COMMITTEE REPORTS**

### **LIBRARY SERVICES**

Mrs. Khoury introduced Kate Toebe, Teen Librarian of the Bond Hill Branch.

#### Kate Toebe Awarded Baker & Taylor/YALSA Conference Grant

A Baker and Taylor/Young Adult Library Services Association grant of \$1,000 was given to two librarians in the country, one in a public library and one in a school library, to attend the American Library Association (ALA) Conference in Chicago. Kate Toebe won this grant by answering a series of essay questions about her involvement in teen services, reasons for wanting to attend the ALA Conference, professional goals and philosophy for library service to young adults. In Chicago, Kate attended conference sessions and workshops, and spent time in the exhibit hall. The highlight of her week was her attendance at YALSA's President Program and Membership Meeting where she received an award to commemorate the grant.

Mrs. Khoury reported that:

#### Redesigned Homepage Launched Today

- a new homepage, which went live this morning, is more customer-friendly and easier to navigate and it provides more graphics front and center for promoting programs, services and Library news.

#### The Library Moving to Floating Collections

- currently, items returned to a non-owning location are checked-in, routed to a central sorting room at the Main Library, then rerouted to the owning library. This process is time consuming, labor intensive and delays the availability of material in-transit for one to two days.

With floating collections, an item is shelved at the location where it is returned regardless of where it was checked out. This approach provides benefits for both Library and customer:

- Fewer items in-transit, resulting in items being on the shelf and available faster.
- Reduction in the delivery of material by an estimated 40%, resulting in a reduction in workload and overall operating costs.
- Better utilization of the collection budget.
- Branch collections that better meet the community's interests, resulting from customers' request and return patterns.

A project team has been formed with a goal of initiating floating collections at the Library by January 2010.

#### Ohio Department of Education Ceases Voucher Program for GED Testing

- as of September 1, the GED test will require payment of a \$40 fee. In the past, passing the GED practice test (5,568 administered by the Library since 2000) would provide a fee waiver for the official GED test, a great incentive to study and take the practice test. The Library will continue

to offer the GED practice test for free, since it serves as a gauge to help students decide if they are ready to take the Official GED test.

#### Urban League to Discontinue Homework Assistance at Avondale and Price Hill Branches

- due to reductions in Urban League of Greater Cincinnati funding, their Center of Excellence homework and tutoring assistance at the Avondale and Price Hill Branches will not be maintained this fall.

#### Programs & Exhibits of Note

Mr. Edwards reported on the following programs:

- *Humana Healthy Kids Zone*, 11 weeks of healthy programs and activities held at fourteen urban Library locations. Over 3,500 children participated in this program funded by a grant from the Humana Foundation.
- *Michael Pollan* lecture entitled *In Defense of Food: An Omnivore's Solution*, co-sponsored with Xavier University, to be held at the Cintas Center on September 27.
- *The Big Read* - a community-reading program developed by the National Endowment for the Arts. With an NEA grant, the Library will host The Big Read program in October in partnership with the Cincinnati Park Board and Joseph-Beth Booksellers. The classic title selected by the Library is Mark Twain's *The Adventures of Tom Sawyer*.
- *Down by the Riverside: Life on the Ohio and Mississippi*, a new exhibit (coinciding with the Big Read) featuring the Cincinnati Room collection of first editions from its Mark Twain collection, plus letters, journals, logbooks and images. *Down by the Riverside* will be on view from September 19 to October 18.
- *The Cincinnati Ballet's Frisch's Presents The Nutcracker*, an exhibit of objects from the Cincinnati Ballet's past performances of *The Nutcracker*, including costumes, props, photographs and promotional materials. This exhibit will be in the Atrium of the Main Library from October 5 to January 4.

#### Library Usage

Mr. Edwards reported that August circulation increased by 7.3%, with Main and branch usage up 7.7% and 10% respectively. Print usage continues to drive increases with a 12.4% increase over the same month last year. Year-to-date circulation is up 6.5%. Programs held increased 5.7%, program attendance 7.3%.

The top circulating items and statistical reports for the month of August 2009 were submitted.

### **ADMINISTRATION**

#### Personnel Changes

Mrs. Khoury recommended that the Board approve the following personnel changes effective through September 5, 2009:

<b>ACTION</b>	<b>AGENCY</b>	<b>POSITION TITLE</b>	<b>FTE</b>	<b>EMPLOYEE NAME</b>	<b>EFFECTIVE DATE</b>
Retirement	Mariemont	LSA II	1.00	Nessler, Carol A.	07/31/09

<b>ACTION</b>	<b>AGENCY</b>	<b>POSITION TITLE</b>	<b>FTE</b>	<b>EMPLOYEE NAME</b>	<b>EFFECTIVE DATE</b>
Promotion	Monfort Heights	LSA I	0.50	Getz, William J.	07/26/09
Promotion	Anderson	LSA II	1.00	Hatfield, Judith H.	07/26/09
Promotion	Information & Reference	LSA II	1.00	Wedig, Bradley J.	07/26/09
Appointment	Madeira	Student Shelver	0.30	Flick, Lauren A.	08/30/09
Change	Outreach Services	Shelver	1.00	Phelps, Enos B.	07/26/09
Change	Information & Reference	Student Shelver	0.25	Simone, Michelle	08/23/09
Change	Shipping & Receiving	Shipping & Receiving Clerk I	1.00	Yarbrough, Kevin J.	07/26/09
Departure	Oakley	LSA I	0.50	Barten, Christi A.	08/01/09
Departure	Symmes Township	LSA I	0.50	Burris, Deborah L.	07/15/09
Departure	Covedale	Student Shelver	0.25	Byrne IV, John M.	07/28/09
Departure	Blue Ash	Student Shelver	0.25	Conlon, Kyle L.	08/04/09
Departure	Loveland	Student Shelver	0.25	Garbarino, Matthew A.	08/21/09
Departure	Circulation Services	LSA I	0.50	Johnson, Michael T.	08/21/09
Departure	Delhi Township	Student Shelver	0.30	Kaine, Joshua C.	08/01/09
Departure	Oakley	Student Shelver	0.30	Kissling, Alexandra G.	08/29/09
Departure	Homework Central	Homework Central Manager	1.00	McKenney, Miriam G.	08/30/09
Departure	Hyde Park	Student Shelver	0.25	Maloney, Maeve B.	08/07/09
Departure	Covedale	Student Shelver	0.25	Martin, Jeffrey N.	08/15/09
Departure	Hyde Park	Student Shelver	0.25	Mendlein, Alyssa K.	08/21/09
Departure	Blue Ash	Student Shelver	0.25	Mindrum, Carmelisa	08/10/09
Departure	Madisonville	LSA I	0.50	Mitchell, Sarah F.	08/13/09
Departure	North Central	Student Shelver	0.30	Mollmann, Catherine M.	08/18/09
Departure	Corryville	LSA I	0.50	Moore, Neko A.	09/05/09
Departure	Corryville	LSA I	0.50	Radcliffe, Stacey N.	07/30/09
Departure	Sharonville	Student Shelver	0.30	Ritz, Jeremy N.	08/15/09
Departure	Westwood	Student Shelver	0.35	Runkel, Elyse M.	08/27/09
Departure	Madeira	Student Shelver	0.30	Schneider, Annarose L.	08/20/09
Departure	Green Township	LSA I	0.50	Silverman, Anna T.	08/01/09
Departure	Covedale	Student Shelver	0.25	Weber, Stephanie A.	08/18/09
Departure	TechCenter	LSA II	0.50	Westheimer, Sarah B.	08/08/09
Departure	Sharonville	Student Shelver	0.30	Wheeler, Maria L.	08/15/09

### Decertification Petition Filed

Mrs. Khoury reported that the Library received a copy of a decertification petition filed by Jane M. Rosenfeld, an Anderson Branch Reference Librarian, with the state employment relations board (“SERB”).

SERB has not yet ruled on the validity of the petition or set a date for an election. At this time, the administration has not yet expressed an opinion on this matter but reserves the right to do so at an appropriate time.

### Holiday Policy (for Non-Union Staff) Revision Requested

Mrs. Khoury presented a recommendation to revise the Holiday Policy for Non-Union staff to award closed holiday pay to staff working fewer than 20 hours per week on a prorated basis and to remove the requirement that a closed holiday that falls on Sunday be observed on the succeeding Monday.

In February, Student Assistants positions were reclassified as Student Shelves. Student Assistants were considered temporary employees and did not receive holiday pay. Under the revised policy, Student Shelves, who typically work 10-12 hours per week, would receive 2 hours of pay per closed holiday. This revision applies only to non-union staff and has been reviewed by Robert S Brown.

**Holiday Policy  
(For Non-Union Staff)**

It is the policy of the Library to permit employees to be absent from work to observe certain holidays. For full time regular staff members, the Library provides eleven legal holidays each year. Holidays will be awarded on the day on which they occur.

For part time staff members the Library provides holiday hours for each of the closed holidays each year for those in the following authorized positions:

- 2 hours for staff in authorized position of less than 20 hours per week
- 4 hours for staff in authorized positions of 20-39 hours per week

Temporary employees will not be compensated for holidays. However, these individuals may make up any hours lost due to the Library closing, provided that hours made up and scheduled hours do not exceed 40 hours in a week.

The eleven approved holidays are:

<b>HOLIDAY</b>	<b>OBSERVANCE</b>	<b>LIBRARY OPEN/CLOSE</b>
New Year's Day	January 1st	Closed
Martin Luther King Day	3rd Monday in January	Open
President's Day	3rd Monday in February	Open
Memorial Day	Last Monday in May	Closed
Independence Day	July 4th	Closed
Labor Day	1st Monday in September	Closed
Columbus Day	2nd Monday in October	Open
Veteran's Day	November 11th	Open
Thanksgiving Day	4th Thursday in November	Closed
Christmas Eve	December 24th	Closed
Christmas Day	December 25th	Closed

On those holidays when the Library remains open, eligible staff members, who are not scheduled off for that holiday, may escrow the time for use at a later time. Such holiday time may be accumulated up to forty hours. No additional holiday time will be credited to an employee beyond this number.

Employees required to work on closed holidays will be compensated for the hours they work plus the holiday time.

Regular full-time employees are granted a personal holiday each year. Employees hired full-time prior to January 1, 1973 receive this day as of January 1. Employees hired full-time on or after this date, receive this day in the pay period of their full-time employment anniversary.

No holiday time may be used prior to the actual date of the holiday. Holiday time may not be taken in units of less than 15 minutes and the total time taken must be divisible by 15.

If any employee retires, resigns, or is discharged, they will be paid in a lump sum for any accrued holiday hours. In the event of the death of an employee, payment will be made to the estate. Accrued holiday hours must be used to cover any approved absence. Except in the case of emergencies, use of these hours must be scheduled in advance.

**Effective:** 9/8/2009

Mrs. Khoury also reported that:

#### Library's FSA Plan Updated in Accordance with New IRS Requirement

- the Library's Flexible Spending Account (Section 125 plan) has been amended to allow for special enrollment rights that extend and expand the state children's health insurance program, as required by passage of the Children's Health Insurance Program Reauthorization Act of 2009, effective April 1, 2009.

#### Early Retirement Incentive

- upon review, it is evident that a voluntary early retirement plan is not a viable option for cost savings in our current situation. State law permits Ohio's public employers to establish a retirement incentive plan that allows an employer to purchase additional service credit for eligible employees, enabling those employees to retire early. However, before offering early retirement incentives, an employer must have had a plan in place for one year. Further, the employer's cost of the service credit is the amount of the additional retirement liability, including health care liability, as calculated by OPERS. This cost would be more than employee and employer contributions.

Under Ohio law, an early retirement incentive plan is mandatory for state agencies that lay off significant numbers of staff. Since libraries are not specifically mentioned, a legal opinion will be sought as to whether this requirement applies to public libraries.

Mrs. Khoury moved that the Board approve the Library Services and Administration Committee report as submitted, including personnel changes and revision of the holiday policy (for non-union staff). Mr. Moran seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. **(52-2009)**

## **FISCAL OFFICER'S REPORT**

### Theft at Avondale Branch

In accordance with the Library's *Theft of Library Property* policy, Ms. Schoettker reported a theft of cash and equipment from the Avondale Branch on September 2, when someone broke into the branch and stole the coin tower for the public copier and printers. The coin tower would have held at least \$34 (the reserve), perhaps as much as \$100. The coin tower is valued at about \$3,000. The Cincinnati Police were notified.

This is the second theft of Avondale's copier monies in 3 months. During a break-in in June, the thief pried open the coin tower and took \$86 in cash. We received an insurance reimbursement of \$2,476.85 for that loss of cash and the damage to our equipment.

Ms. Schoettker also reported that:

Public Library Fund

- the September PLF distribution will be \$2,624,873.62. Year-to-date receipts reflect a drop of 11.2% compared to 2009 budgeted income, 17.3% compared to the same period in 2008.

Monthly Financial Report

- the financial report was submitted for the period ending August 31, 2009. She noted that the balances of the St. Bernard and Reading Funds were transferred this month to General Fund.

Investment Report

- the investment report was submitted for the month ending August 31, 2009.

Mr. Hendon moved that the Board approve the Fiscal Officer’s Report including the financial and investment report as submitted. Mrs. Gettler seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran (except pass on investment report), Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. **(53-2009)**

**FINANCE AND AUDIT COMMITTEE REPORTS**

Fey Fund

Mr. Moran presented a recommendation to amend the purpose of the Fey Fund to unrestricted usage so that it can be used to purchase a new firewall and other needed equipment.

In 1997, the Library received a bequest from the estate of Annabel Fey. Per the terms of the will, the bequest was “unrestricted and the Board of Trustees or the governing body may use and expend the same for the benefit of such Library in any manner it deems appropriate”. Upon the recommendation of staff, the Board approved establishing the Annabel Fey fund for the purpose of enhancing the visual appeal of the Library, including but not limited to supporting the display, repair, preservation and purchase of art for the Library. Since 1997, the fund has been used for major art projects such as the restoration and housing of our stained glass windows and our Fontayne and Porter daguerreotype, as well as small framing jobs.

The Library’s firewall must be replaced at a cost of approximately \$42,000. The capital dollars that would have paid for this expense are needed now for operating expenses, but the Fey Fund has an available balance of \$47,495.46.

2009 Annual Appropriations

Mr. Moran presented a request to revise the 2009 Annual Appropriation Resolution as follows:

<u>Fund</u>	<u>Revision</u>
<b>Fey Fund</b>	
Purchased & Contracted Services	\$ (2,081.44)
Capital Outlay	<u>2,081.44</u>
Net Change	\$ 0.00
<b>Dater Fund</b>	
Supplies	\$ 9,800.00

Library Materials		(9,800.00)
	Net Change	\$ 0.00

The change to the **Fey Fund** shifts the appropriation remaining in Purchased & Contracted Services to Capital Outlay so that the full balance can be used for replacement of the firewall and other equipment.

The **Dater Fund** change allow for the purchase of additional computers and computer supplies for the children’s area of the Westwood Branch.

Mr. Moran moved that these recommendations be approved as submitted. Mr. Hendon seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. **(54-2009)**

### **FACILITIES COMMITTEE REPORT**

No Report.

### **DEVELOPMENT COMMITTEE REPORT**

Mrs. Gettler reported that:

#### Library Foundation

- the Library Foundation is accepting online donations through their page on the Library’s website. Access through the GuideStar Foundation and Network for Good allows the donor to review the IRS 990 of the Library Foundation and other pertinent information prior to making their donation. Gifts can be sent through credit card, PayPal or check.

#### Friends of the Public Library

- the Friends Annual Summer Warehouse Sale, held August 13 – 16, grossed \$35,725. The next mini-sale will be held at the Covedale Branch Library on September 18 and 19.

Mr. Sittenfeld suggested that the Library Board take action to express their thanks to Friends volunteers. Mrs. LaMacchia suggested volunteering to work with them at the next June book sale. Plans are underway to recognize the Anderson Friends for the \$1 million raised in their book sales.

The report was received and filed.

### **COMMUNITY AND PUBLIC RELATIONS COMMITTEE REPORT**

Mr. Sittenfeld presented a report on promotion and planning, notable media coverage, press releases and community outreach. The report was received and filed.

## LEGISLATIVE AFFAIRS AND LAW COMMITTEE REPORT

### Consumer Product Safety Commission

Mrs. Gettler reported that on August 26, the Consumer Product Safety Commission (CPSC) released its final rule on children's products containing lead, confirming that libraries have no independent obligation to test library books for lead under the law. CPSC also announced its intention to release a Statement of Policy specifically providing guidance for libraries with regard to the treatment of older children's books (published before 1985) that could potentially contain lead-based inks.

Pending the CPSC's release of the Statement of Policy, the ALA recommends that libraries take the following actions: If a library is aware that any children's book does indeed contain lead above the legal limits or otherwise presents a danger to children, it should remove it from public access, for instance by moving it to the non-circulating collection. Also, if libraries do learn of any books containing lead, please let the ALA-Washington Office know so they may share that information with other libraries.

Our web site has information regarding safe handling of all Library materials, including advising parents not to allow children to chew on or lick books and to wash their hands after reading a book. Although no books have been identified that might pose a health risk to children, should we become aware of any in our collection that contain lead above the legal limits, we will follow the recommendations of the ALA and any directives included in the CPSC's Statement of Policy.

The report was received and filed.

### EXECUTIVE SESSION

Mr. Moran moved that the Board to move into Executive Session to meet with Robert S Brown regarding collective bargaining issues. Mrs. Khoury seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. **(55-2009)**

Upon conclusion of the Executive Session, Mr. Moran moved that the Board return to Regular Session. Mr. Hendon seconded.

Voting for the motion: Mrs. Gettler, Mr. Hendon, Mrs. Khoury, Mr. Moran, Mr. Sittenfeld and Mrs. LaMacchia ... 6 ayes. The motion carried. **(56-2009)**

The Regular Meeting was then adjourned.

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President

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Attest: Secretary