

**INDIANAPOLIS-MARION COUNTY PUBLIC LIBRARY
MINUTES OF THE REGULAR MEETING
FEBRUARY 21, 2008**

The Indianapolis-Marion County Public Library Board met at the Flanner House Branch Library, 2424 Dr. Martin Luther King, Jr. Street, Indianapolis, Indiana, on Thursday, February 21, 2008 at 6:30 p.m., pursuant to notice given in accordance with the rules of the Board.

1. Call To Order

President Jordan presided as Chairman. Secretary Rothe was present.

2. Roll Call

Members present: Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Member absent: None.

3. Branch Manager's Report

Denyce Malone, Manager, Flanner House Branch Library, briefly reviewed her report that had been provided to the Board. She pointed out that on October 29, 1979, the Flanner House Branch Library opened in the new Flanner House of Indianapolis multi-service center, making it the twenty-third branch in the library system, and the first to be opened in a multi-service complex. There are also six private and public schools and two charter elementary schools in the service area. The branch ended 2007 with an increase in circulation and door count. The branch recently received some improvements but still needs a handicap accessible restroom and a larger meeting room. Ms. Malone stated that the patrons would also benefit if the branch was open on the weekends.

Ms. Rothe commented that IMCPL is really short-changing the neighborhood when we cannot provide a branch that is open on the weekends and we need to find a solution to this problem.

Laura Bramble, Chief Executive Officer, advised that Flanner House was one of the branches that had been identified back in the mid-1990s for expansion but those funds had to be reallocated to the Central Library Project.

4. Public Comment and Communications

a. Public Comment

Myron Richardson, Executive Director of Flanner House of Indianapolis, addressed the Board.

Mr. Richardson mentioned that Flanner House is delighted with the partnership that has existed between Flanner House and the Library all these years. He pointed out that Flanner House is “busting at the seams” and needs to expand to meet their needs. They have also discussed the possibility of constructing a new building to replace the 1979 structure. Mr. Richardson stated that the Flanner House programs offered are great but the facilities are not so great.

Mr. Lynch advised that the Library Board is concerned about the condition of the facility and they are aware of their previous commitment. Unfortunately, as noted earlier in the meeting, the monies that had previously been set aside to expand the Flanner House Branch had to be reallocated to the Central Library Project.

- b. **Dear CEO Letters and Responses** were circulated.
- c. **Correspondence** was circulated for the Board’s general information.

5. **Approval Of Minutes: Executive Session, Regular and Special Meetings**

a. **Regular Meeting, December 13, 2007**

Note: Due to a printer error, this item was previously tabled at the January Board Meeting.

The minutes from the Regular Meeting held December 13, 2007 were distributed to the Board.

The minutes were approved as written upon the motion of Mr. Meyer, seconded by Mr. Lynch, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

b. **Executive Session, January 17, 2008**

The minutes from the Executive Session held January 17, 2008 were distributed to the Board.

The minutes were approved as written upon the motion of Mr. Meyer, seconded by Mr. Lynch, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

c. **Regular Meeting, January 17, 2008**

The minutes from the Regular Meeting held January 17, 2008 were distributed to the Board.

The minutes were approved as written upon the motion of Mr. Lynch, seconded by Mr. Meyer, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

COMMITTEE REPORTS

6. Finance Committee (Mary Lou Rothe, Chair; Elsa Kramer, Gary Meyer)

a. Report of the Treasurer –January, 2008

Ms. Rothe commended Becky Dixon, Chief Financial Officer, and her staff for receiving the Certificate of Achievement for Excellence in Financial Reporting for the Library’s CAFR (“Comprehensive Annual Financial Report”).

Ms. Dixon then discussed the January, 2008 Report of the Treasurer that had been distributed to the Board. She stated that for the month of January, 2008, actual expenditures, less investments, were \$403,023 less than projected. Actual revenue was \$29,128 more than projected.

January, 2008 expenditures, less debt payments, were 9% more than January, 2007. January, 2008 receipts, less taxes, were 13% less than January, 2007. Fines revenue is up by 9% compared to January of 2007.

Year-to-date fines revenue for 2008 is \$153,148 compared to year-to-date 2007 of \$167,427 (9% decrease).

Ms. Rothe made the motion, which was seconded by Mr. Meyer, that the Report of the Treasurer be filed for audit.

Motion carried.

The Report is attached to, and made a part of, these minutes.

b. **Resolution 13 – 2008** (Resolution of the Indianapolis-Marion County Public Library Authorizing Issuance of Refunding Bonds for the Purpose of Providing Funds to be Applied to Pay for the Current and/or Advance Refunding of all or any Portion of the Indianapolis-Marion County Public Library General Obligation Bonds – Series 1998, Series 2001, Series 2002A and Series 2003, and Incidental Expenses in Connection Herewith and on Account of the Issuance of the Bonds)

Neal Steinbart, from Barnes & Thornburg, addressed the Board as the Library’s bond counsel and reminded them that the Library needs to realize a savings of at least \$1 million to make it beneficial to go forward with the refinancing.

Ms. Rothe mentioned that she wanted the public to know that the Library is not selling new bonds. This is a refinancing of existing bonds which will ultimately save money for the Library.

After full discussion and careful consideration of Resolution 13 – 2008, the resolution was adopted upon the motion of Ms. Rothe, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

c. **President Jordan will Convene a Public Hearing**

President Jordan announced that this Public Hearing was being held to consider the proposed Appropriation.

1) **Receive Information on the Proposed Appropriation**

Ms. Dixon provided general information on the proposed Appropriation. She advised that approval is being sought to appropriate the proceeds of the refunding so that the Library can cover the pay-off of the bonds being refunded and any costs associated with the refunding. Ms. Dixon stated the amount will not exceed \$45 million.

2) **Invite Public Comment from the Audience**

President Jordan invited public comment at this time.

There were no comments.

President Jordan will Consider a Motion to Close the Public Hearing

Mr. Meyer made a motion to close the Public Hearing. Ms. Rothe seconded the motion.

Motion carried.

The Public Hearing was closed at this time.

d. **Resolution 14 – 2008** (Appropriation Resolution)

After full discussion and careful consideration of Resolution 14 – 2008, the resolution was adopted upon the motion of Ms. Rothe, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

e. **Resolution 15 – 2008** (Appropriation of Grant Proceeds)

After full discussion and careful consideration of Resolution 15 – 2008, the resolution was adopted upon the motion of Ms. Rothe, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

On other matters, Ms. Rothe mentioned that the notes from the February 11, 2008 Finance

Committee Meeting would be available at the March Board Meeting. Also, she announced that the Finance Committee has changed their regular meeting day from Tuesday to Monday and all Board members are welcome to attend the meetings.

7. Diversity, Policy and Human Resources Committee (Jesse Lynch, Chair; Gregory N. Jordan, Mary Lou Rothe)

- a. **Diversity, Policy and Human Resources Committee Notes – February 11, 2008** were distributed to the Board for their general information and are attached to these minutes.

Mr. Lynch announced that the Committee had also changed their regular meeting day from Tuesday to Monday and all Board members are welcome at their meetings.

8. Building Committee (Gary Meyer, Chair; Richard Bacon, Louis Mahern)

- a. **Central Project Construction Team Update** – Larry Summers, the Owner’s Representative, discussed the Central Library Project.

A copy of the Update is attached to these minutes.

- b. **Construction Manager Monthly Report** was distributed to the Board at the meeting for their information.

- c. **Resolution 16 – 2008** (Approval of Addendum to Consulting Agreement with CSO Architects for Extension of Construction Administration Services by Circle Design Group, Inc. and Hoerr Schaudt Landscape Architects)

After full discussion and careful consideration of Resolution 16 – 2008, the resolution was adopted upon the motion of Mr. Meyer, seconded by Mr. Bacon, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

- d. **Confirming Resolutions:**

At this time, Mr. Meyer provided an explanation of the various change orders being presented in Fund 40 and Fund 41. He noted that the change orders are ones the Library has been aware of and had in the budget and are now finishing up the paperwork. Some of the change orders are two or three years old. Through the process, it has been a matter of obtaining the best pricing and gathering all the needed documentation. Even though there are dollar values here, these are not new items but instead are items where the negotiations, paperwork and justifications have all been compiled.

Mr. Lynch reviewed his understanding of a construction “change order.” He requested that Mr. Meyer explain how the change orders have been handled for the Central Library Project.

Mr. Meyer noted that this is a public works project and then went on to explain the bidding and change order processes in detail. The Library went out and said “here’s the drawings and here’s what we need you to do” and then all the bidders come back in with their sealed bids. All bids are opened and the lowest, most responsive and responsible bidder is awarded the contract. Responsive means that they answered all the questions and responsible means that they have the qualifications to do the work. That contractor is bidding the work based on the documents and drawings that the Library has given them. With regard to a change order, Mr. Meyer gave the example of the Library wanting an additional electrical outlet on a wall. This would be classified as a request that the owner made. The owner has to pay for that change because it was never in the original bid. Another example would be where there are no details available. It was anticipated that as the building was being constructed, certain necessary items would be identified. These items were not in the bid, but they were intended to go in the bid. If something is in the bid document and it was there initially and the contractor missed it due to no fault of the owner, the owner does not have to pay for that. Also, in the case where the contractor thought they could do the work for the \$10,000 and got going and then realized they couldn’t do it for that amount and needed \$15,000 instead, the owner doesn’t pay the increased costs. It is not a justified change order. Some change orders are deductive. For example, if the Library thought we needed 25 outlets and instead only needed 20, the contractor would then have to reduce his cost. This would be a deduction.

Additionally, Mr. Summers spoke to the Board. He noted that the Library has a “scope gap” issue with all the multiple prime contracts on the Project. We attempt to sort out the scope and identify and assign scope to different contractors as we put their packages out. In the process, you inadvertently have gaps where you don’t anticipate or want it. As a result of that, changes need to be made to close that gap.

Mr. Meyer went on to say that the scope gap should not be classified as an error. It is either something the Library is asking for, an overlap or gap on the contracts, or an unforeseen condition. These are the general situations which would require a change order. Some of the change order work was done some time ago but the Board is just now seeing them because the pricing needed negotiation or the paperwork needed to be completed. Some of these change orders are “catch up.” In our budgeting, all of these change orders have been anticipated. Contingency funds in the amount of approximately \$600,000-\$700,000 are still available if needed.

Mr. Lynch expressed his hope that the Library is looking closely at the change orders and not trying to spend up all the available monies. He feels that any leftover funds should be used for improvements in other areas.

Mr. Summers advised that a number of individuals, including the Owner’s Representative and the Construction Manager, review the change orders before approval.

Mr. Meyer stated that it is the role of those individuals to determine the accuracy of pricing, etc. for all change orders. Sometime, this process can take a long time. During the change over from the old to the new Construction Manager, it was discovered that there were 700 change orders where the work had already been completed but the necessary paperwork still needed to be completed.

Mr. Bacon inquired if there will be a final walk-through when the Project is closed out.

Mr. Meyer mentioned that the Project (except for the Auditorium) is currently in its punch list

or walk-through stage. He reminded everyone that there is 5% retainage on each contract. The final 5% is paid out to the contractor upon satisfactory completion after a final walk-through. Only a small percentage of all contracts have been closed out at this time.

Mr. Lynch asked about the monies “returned” to the Library on change orders.

Another example given was on change orders where money is deducted from the amount. For this, Mr. Summers reviewed the change order for D. C. Byers for the deducted amount of \$181,000. Mr. Summers explained that when the Byers bid package was issued, there were many unknowns on the repairs they had to do. Also, we didn’t know what the design intent was supposed to be so we built in a few allowances and contingencies into their scope of work to be spent only upon our authorization. The deducted money is not theirs to spend. The funds will be returned to the Library’s account.

1) **Resolution on Central Library Project Change Order Report - Fund 40 (Resolution 17 – 2008)**

After full discussion and careful consideration of Resolution 17 – 2008, the resolution was adopted, upon the motion of Mr. Meyer, seconded by Ms. Rothe, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

2) **Resolution on Central Library Project Change Order Report for Garage Related Items – Fund 41 (Resolution 18 – 2008)**

After full discussion and careful consideration of Resolution 18 – 2008, the resolution was adopted upon the motion of Mr. Meyer, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

e. **Resolution 19 – 2008 (Approval to Reaffirm Letter of Engagement with Tabbert Hahn Earnest & Weddle, LLP for Central Library Project Legal Services)**

After full discussion and careful consideration of Resolution 19 – 2008, the resolution was adopted upon the motion of Mr. Meyer, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

f. **Resolution 20 – 2008 (Authorization to Issue an Offer and Request for Bids for Sale of Real Estate – Ambassador Building)**

After full discussion and careful consideration of Resolution 20 – 2008, the resolution was

adopted upon the motion of Mr. Meyer, seconded by Mr. Bacon, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

- g. **Resolution 21 – 2008** (Authorization to Issue an Offer and Request for Bids for Sale of Real Estate – 815-817 N. Pennsylvania St. Property)

After full discussion and careful consideration of Resolution 21 – 2008, the resolution was adopted upon the motion of Mr. Meyer, seconded by Mr. Bacon, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

- h. **Resolution 22 – 2008** (Authorization to Issue a Request for Proposal for Electrical Services for the Library)

After full discussion and careful consideration of Resolution 22 – 2008, the resolution was adopted upon the motion of Mr. Meyer, seconded by Ms. Rothe, and the “yes” votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

- i. **Branch Status Report – January 31, 2008** was distributed to the Board for their review and information. A copy of the Report is attached to these minutes.
- j. **Building Committee Notes – February 7, 2008** were distributed to the Board at the meeting for their general information and are attached to these minutes.

9. **Library Foundation Update (Gregory N. Jordan, Library Board Representative)**

February 2008 Library Foundation Update – Mr. Jordan reviewed some of the Foundation’s activities as follows:

- Last month, the Library Foundation received many contributions. The top corporate and foundation gifts were from AT&T, Borshoff, Indiana Pathology Institute, Beam, Longest and Neff, LLC and Denison Parking.
- Funding has been disbursed to the Library for the Central Ride Curveside, which is transportation for local students to the Learning Curve for field trips and after school visits. Also, several branches, including Decatur, Eagle, Fountain Square, Glendale, Lawrence, Nora and Wayne have received funding for programming needs.
- Kudos to the African-American History Committee and other Library staff members for

their successful “Meet the Artists” program. Many thanks to Barnes & Thornburg, LLP for sponsoring the February 2, 2008 gala reception.

A copy of the Update is attached to these minutes.

10. Report Of The Chief Executive Officer

- a. **Statistics – January, 2008** were distributed to the Board.

Ms. Bramble noted that circulation is up slightly. Recent programs of interest have included the Living Lean and Green series which is ongoing, the Prince and Princess Party at East Washington and Tarantula Day at Shelby.

- b. **Report on Baby Bunny Book Bags and Educational Partnerships**

Melanie Wissel, Program Development Services Area, gave the Report on Baby Bunny Book Bags and educational partnerships.

A total of 500 Baby Bunny Book Bags will be available to check out at all branch locations, and loaned to home day care facilities through the Library’s Little Bitty Bookmobiles. The original Bunny Bags launched in May 2006 and Spanish Bunny Book Bags became available in January 2007. Through the support of Comcast Foundation and the Indianapolis Foundation Library Fund, the Baby Bunny Book Bags are now available, stuffed with very first books for babies. They have bright colors, simple pictures and vocabulary, along with tactile and sensory experiences that are the first building blocks to reading.

The opening of Central Library has presented new opportunities for the Library to make more connections between schools and formal education and informal education provided through library services. The Indiana Reading Association will hold sessions at Central Library and the Learning Curve on Saturday, March 3. Educators will have the opportunity to actively participate in activities in the Group Coves, the Tech Lab, the Make Believe Theater and receive an introduction to CurveWorld.

- c. **Overview Report on IMCPL Facilities**

Ed Olsen, Director, Facilities Management Services Area, gave a PowerPoint presentation to the Board on the system’s facilities. He also distributed materials which included information on the following:

- Listing of Branch Locations
- Facilities Organizational Chart and Staffing Expenses

- Ways in Which Facilities has Reduced Costs
- Listing of Facilities Contracts
- Copy of a Sample Contractual Agreement and a Request for Proposal
- List of Total Utility Expenses per Square Foot and Utility Cost per Branch

Information was also provided on the quantity of materials moved throughout the system on a daily basis, changes in types of vehicles used, and proposed projects for 2008.

Mr. Lynch discussed the existing security issue with teens at the Pike Branch. He noted that he had been to the branch several times and had witnessed the problem. It is not unusual for 50 to 100 teens to be in the branch at one time. It appears to be a natural gathering place for them when school is dismissed. He mentioned that he felt that spending money on additional programming at the branch would not help to alleviate the situation.

Mr. Olsen noted that the police are called to address security issues as needed and the Library has been pleased with the quick response to our requests for assistance. He mentioned that it appears that the neighborhood is changing and there is a lot of drug activity around the branch.

d. **Confirming Resolutions:**

1) **Resolution Regarding Finances, Personnel and Travel (23 – 2008)**

Mr. Lynch asked how it is determined which staff members are allowed the time and money for travel and training.

Ms. Bramble mentioned that it is determined by the Directors of their service areas. Sometimes, there is no cost involved but the staff member is asking for the time off instead. This must be approved by the Board. In each instance it is based on a staff member's request to the Director of their area.

Mr. Lynch noted that doing it in this manner is subjective. No guidelines are being used for the selection of staff or the determination of reimbursements. How are we consistent? Is there any way it can be fair across the board?

Ms. Bramble gave an example of the branch libraries where the Director and Resource Managers set priorities for their staff. Then, it just depends on what's available and what's coming up at the time.

Mr. Lynch also wanted to know how the Library benefits from staff members' attendance at conferences, etc.

Ms. Bramble noted that in the past staff members had to write a report and it was submitted to the Board. Now, reports are usually given at staff meetings. She mentioned that a new application form is being drafted that would be used when staff apply for travel or training. It would indicate how the staff member would share the information.

After full discussion and careful consideration of Resolution 23 – 2008, the resolution was adopted upon the motion of Ms. Rothe, seconded by Mr. Meyer, and the "yes" votes of Mr. Bacon, Mr. Jordan, Ms. Kramer, Mr. Lynch, Mr. Mahern, Mr. Meyer and Ms. Rothe.

Motion carried.

The resolution is appended to, and made a part of, these minutes.

OLD BUSINESS

11. None.

NEW BUSINESS

12. None.

AGENDA BUILDING

13. **Future Agenda Items** - This time was made available for discussion items not on the Agenda, which were of interest to Library Board members and the opportunity was made to suggest items that should be included on future Library Board Meeting Agendas.

Items suggested for upcoming Board Agendas are as follows:

March, 2008 - To Be Determined

INFORMATION

14. **Materials**

The following materials were distributed to the Board for their general information:

- a. *ULC Exchange* (February 2008)

15. **Board Meeting Schedule 2008 (Notice of Date and Place of Meeting) and Upcoming Events**

- a. **Schedule of Board Meetings for 2008** - *Current calendar will be updated each month, as necessary, and additional information highlighted.*
- b. Library Programs and/or Free Upcoming Events through March 19, 2008 were distributed to the Board.

16. **Notice of Special Meetings**

None.

17. **Notice of Next Regular Meeting**

Thursday, March 20, 2008, at the East Washington Branch Library, 2822 East Washington Street, at

6:30 p.m.

18. Other Business

None.

19. Adjournment

The Secretary announced that there was no further business to come before the Board.

The Chairman declared the meeting adjourned at 8:40 p.m.

A video tape/DVD of this meeting is on file in the Library's administration office.

Mary Lou Rothe, Secretary to the Board

