



DECATUR PUBLIC LIBRARY

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BOARD OF TRUSTEES

Personnel, Policy, and Public Relations Committee

AGENDA

Thursday, February 2, 2023

4:30 p.m.

Board Room

- I. Call to Order – Karl Coleman
- II. Consent agenda (Agenda; January 5, 2023 minutes) (Action)
- III. **Public comments** – – 15-minute time period for citizens to appear and express their views before the Decatur Public Library Board. Limit of 3 minutes per speaker; total of 15 minutes. No immediate response will be given by the Library Trustees or Library staff members.
- IV. Written Communications from the Public
- V. New Business
 1. Personnel Update (Discussion)
 2. Tuition Reimbursement (Discussion)
 3. Emergency Response Plan (Discussion)
 4. Ethics and Gifts Ban Policy (Action)
 5. Breastfeeding Policy (Discussion)
 6. Other (Discussion)
- VI. Old Business
 1. Diversity, Equity, Inclusion (Discussion)
 2. Other (Discussion)
- VIII. Adjournment

If you have questions please contact:

Rick Meyer, City Librarian

421-9713 rmeyer@decaturlibrary.org



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DECATUR PUBLIC LIBRARY BOARD OF TRUSTEES Personnel, Policy and Public Relations Minutes

Date: January 5, 2023

Time: 4:30 p.m.

Board Room

Board President: Sofia Xethalis **Board Members:** Alana Banks,
Shelli Brunner, Susan Avery, Karl Coleman, Jecobie Jones, Jeff Cancienne

Present

Karl Coleman
Shelli Brunner
Susan Avery
Sofia Xethalis

Absent:

Staff: Rick Meyer, City Librarian
Michelle Whitehead, Executive Administrative Assistant
Alissa Henkel, Director Programs, Resources, and Services

Guests: none

Call to Order: Mr. Coleman called the meeting to order at 4:33p.m.

Public comments: none

Consent Agenda and December 1, 2022 Meeting Minutes- Mr. Coleman requested a motion to approve the consent agenda. No discussion. Passed by unanimous consent.

Written Communications from the Public: An email was received by a patron expressing their dissatisfaction with Hoopla.

New Business

Personnel Update (Discussion) Mr. Meyer stated there were no changes. The Library will complete a needs assessment for 2023.

2023 Meeting Schedule (Action) Ms. Avery moved to keep schedule as is, seconded by Ms. Xethalis. All in favor. Motion was adopted.

Emergency Succession Plan (Action) Mr. Meyer stated this is a backup plan in case something happens to the City Librarian. Mr. Meyer recommended this should be reviewed and approved by the Board annually. Mr. Coleman recommended to revise the Board oversight clause to include the Emergency Succession Plan be reviewed every January, seconded by Ms. Xethalis. All in favor. Motion was adopted.

Mr. Coleman made a motion to approve the Emergency Succession plan as amended, seconded by Ms. Brunner. All in favor. Motion was adopted.

Extension of COVID Related Paid Leave (Action) Mr. Meyer recommended we extend this policy for another 6 months. Ms. Avery made a motion to extend this for another 6 months, seconded by Ms. Brunner. All in favor. Motion was adopted.

Test Proctoring Policy (Action) Ms. Xethalis made a motion to accept the policy as presented, seconded by Ms. Avery. All in favor. Motion was adopted.

Old Business

Diversity, Equity, Inclusion (Discussion) Mr. Meyer is working with the attorney to modify Nicki Bond's contract. She was accepting of the adjustments to the contract. Waiting on the final contract. Ms. Bond is a local consultant helping with the DEI process.

Adjournment

Ms. Xethalis made a motion to adjourn, seconded by Ms. Brunner at 4:56 p.m. All in favor. The motion was adopted.

Scribe,
Michelle Whitehead, Executive Administrative Assistant

From the Union Contract:

Section 7. Tuition Reimbursement

The Library shall reimburse the tuition and fees cost for courses directly related to an employee's job, and may reimburse one-half of the tuition and fees cost for any course indirectly related to an employee's job, up to a maximum of \$1,000 per year for each regularly employed fulltime

employee, and to a maximum of \$500 per year for such regularly employed part-time employee, provided the course is completed successfully. The total amount to be expended for tuition reimbursement in any fiscal year shall be determined by the Board.

(A) In all cases a grade of "C" or higher will represent successful completion of the course.

(B) Reimbursement applies only to tuition and fees. In no case will reimbursement for books, supplies or other expenses be made.

(C) Reimbursement applies only to courses offered for college credit.

(D) In order to receive tuition and fees reimbursement, the employee must submit to and have approved by the City Librarian a "Request for Tuition Reimbursement" prior to the commencement of the course.

From the Management Handbook:

Tuition Reimbursement:

The Library will reimburse the cost of tuition and fees for courses (directly related to an employee's job, and may reimburse one-half of the tuition and fees cost for any course indirectly related) to an employee's job, up to \$1,000 per fiscal year for each full-time employee, and up to \$500 per fiscal year for each part-time employee, provided the course is completed successfully. The Library will annually determine the total amount of money to budget for tuition reimbursement and reimbursements will not exceed that amount.

In all cases a grade of "C" or higher will represent successful completion of the course.

There will be no reimbursement for books, supplies, or other expenses.

Reimbursement applies only to courses offered for college credit.

In order to receive tuition and fees reimbursement, the employee must submit to and have approved by the City Librarian a "Request for Tuition Reimbursement" form prior to the commencement of the course.



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**AN ORDINANCE IMPLEMENTING THE PROVISIONS OF THE
STATE OFFICIALS AND EMPLOYEES ETHICS ACT**

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE TRUSTEES OF THE DECATUR PUBLIC LIBRARY, AS FOLLOWS:

SECTION 1: The Trustees of the Decatur Public Library ("Library") hereby adopt the following as permanent Library policy:

ARTICLE 1

DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the Library, whether on a full- time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the Decatur Public Library.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.

"Prohibited source" means any person or entity who:

(1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

(2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;

(3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 5

PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Library in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10

GIFT BAN

Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

(3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

(4) Educational materials and missions.

(5) Travel expenses for a meeting to discuss business.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties

of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 25

PENALTIES

Section 25-1. Penalties.

(a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance may be prosecuted as a criminal offense by an attorney for the Library by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the Library.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

SECTION 2: This Ordinance shall be in effect upon its passage and approval.

PASSED THIS ____ DAY OF _____, 20__ BY THE FOLLOWING VOTE:

Trustee	Aye	Nay	Abstain-Absent
Sofia Xethalis			
Karl Coleman			
Susan Avery			
Shelli Brunner			
Alana Banks			
Jacobie Jones			
Jeff Cancienne			