



City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota

November 9, 2011

5:30 p.m.

City Council Convenes Its Meeting

- A. Call to Order
- B. Oaths of Office for Lake Elmo Library Board
- C. Discussion of Roles
- D. Review of Statute and Proposed By-Laws
- E. Discussion of Suggested Budget and Library Location
- F. Other Business
- G. Adjourn City Council part of meeting

Library Board Convenes Its Meeting

LAKE ELMO LIBRARY BOARD BY-LAWS

Article I Identification

This organization is the Lake Elmo Library Board, located in Lake Elmo, Minnesota, which Board has been established by the City of Lake Elmo in accordance with applicable provisions of Minnesota Statutes Chapter 134 for purposes of exercising the powers and assuming the duties granted to it under said Statutes.

Article II Membership

Section 1. Appointments and Terms of Office. The Board shall be composed of five members and three alternates as appointed by the Mayor and City Council. Initially, two members shall hold office for one year, two for two years, and one for three years pursuant to Minn. Stat. 134.09, subd. 2.; provided that the terms of office for such individuals as compose the first Board shall be specified at the time of appointment. Thereafter, annually the Mayor with the approval of the council shall appoint board members for the term of three years until their successors qualify a sufficient number of members to fill the places of those whose term or terms expire. A library board member shall not be eligible to serve more than three consecutive three-year terms. Former members who have served the maximum term allowed may be reappointed after a lapse of one year. The Mayor with the approval of the council may remove any board member for misconduct or neglect. The City Council shall fill any library board vacancy for the remainder of the unexpired term.

Section 2. Meeting Attendance. Members shall be expected to attend all meetings except as they are prevented by a valid reason; provided, however, that any member who fails to attend three consecutive meetings shall be deemed to have resigned from the Board. Said vacancy shall be filled by the appointment process specified above.

Article III Officers

Section 1. The officers shall be a president, a vice president, and a secretary elected from among the appointed members no less frequently than annually. The Board may, from time to time, appoint other officers as it deems necessary. No member shall hold more than one office at a time. No member shall be eligible to serve more than two consecutive terms in the same office. Vacancies in office shall be filled by vote of the Board members at the next regular meeting of the Board after the vacancy occurs.

Section 2. The president shall preside at meetings of the Board, authorize calls for special meetings, appoint any Board committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees and generally perform all duties associated with the office of president.

Section 3 The vice president, in the event of the absence or disability of the president, or of a vacancy in that office, shall assume and perform the duties and functions of the president.

Section 4. The secretary shall keep true and accurate minutes of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with the office of secretary.

Article IV Meetings

Section 1. Regular Meetings. The Board shall set the calendar for its regular meetings at its first meeting after appointment and thereafter shall set the annual calendar at the first meeting to be held each calendar year. The Board shall meet at least quarterly.

Section 2. Annual Meeting. The annual meeting, which shall be for the purpose of the election of officers, shall be held at the time of the regular meeting in January of each year.

Section 3. Agendas and Notices. Meeting agendas and notices shall indicate the time, date, and place of the meeting and indicate all subject matters intended for consideration at the meeting.

Section 4. Minutes. Minutes of all meetings shall, at a minimum, indicate board members present, all items of business, all motions (except those that were withdrawn), and the result of all votes taken.

Section 5. Special Meetings. Special meetings may be called at the direction of the President, or upon the written request of two members, and shall be called for the transaction of such business as stated in the call for the meeting. Except in cases of emergency, at least 48 hours notice shall be given. In no case may less than two hours notice be given.

Section 6. Quorum. A quorum for the transaction of business at any meeting shall consist of a simple majority of the members of the Board.

Section 7. Open Meetings Law Compliance. All Board meetings and all committee meetings shall be held in compliance with Minnesota open meetings law. Public notice of all board meetings shall be provided in compliance with the Open Meeting Law.

Section 8. Parliamentary Authority. The rules contained in *Robert's Rules of Order*, latest revised edition shall govern the parliamentary procedure of the meetings.

Article V Duties of the Board of Trustees

Section 1. Subject to state and federal law, the Board has the power and duty to determine policies, rules, regulations and procedures governing library operations and services.

Section 2. The Board shall, in consultation with the City Council, select, appoint and supervise a properly certified and qualified library director and other staff as necessary, determine the duties and compensation of all library employees, and remove any of them for cause.

Section 3. The Board shall prepare an annual budget, recommend said budget to the City Council and subject to confirmation that adequate funds are provided to finance the approved budget.

Section 4. The Board shall have control of the expenditure of all moneys collected, donated or appropriated for the library fund and shall record and approve all library expenditures for reporting back to the City.

Section 5. The Board shall supervise and maintain buildings and grounds, as well as regularly review various physical and building needs to see that they meet the requirements of the total library program. The Board may purchase grounds and erect a library building thereon only with the approval of the City Council.

Section 6. The Board shall study and support legislation that will bring about the greatest good to the greatest number of library users.

Section 7. The Board shall cooperate and coordinate with other public officials, the City Council and boards and maintain vital public relations.

Section 8. The President may appoint such standing or ad-hoc committees as are deemed necessary to facilitate the work of the Board. Any committee may include such staff representatives or any members of the public as will contribute to the completion of the work of the committee.

Section 9. The Board shall follow the procurement and expenditure policies of the City of Lake Elmo and the recommendations of the City Council as provided from time to time.

Article VI Library Director

The library director shall be appointed by the Board in consultation with the City Council, and shall be responsible to the Board. The library director shall be considered the executive officer of the library under the direction and review of the Board, and subject to the policies established by the Board. The director shall act as technical advisor to the Board. The director shall be invited to attend all Board meetings (but may be excused from closed sessions) and shall have no vote.

Article VII Conflict of Interest

Section 1. Board members may not in their private capacity negotiate, bid for, or enter into a contract with the Lake Elmo Library in which they have a direct or indirect financial interest.

Section 2. A board member shall withdraw from Board discussion, deliberation, and vote on any matter in which the Board member, an immediate family member, or an organization with which the Board member is associated has a substantial financial interest.

Section 3. A board member may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

Article VIII General

Section 1. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board. The president may vote upon and may move or second a proposal before the Board.

Section 2. Any rule or resolution of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of the members of the Board are present and two-thirds of those present so approve.

Section 3. These bylaws may be amended at any regular meeting of the Board by majority vote of all members of the Board, provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting at which such action is proposed to be taken.

DRAFT



MAYOR & COUNCIL COMMUNICATION

DATE: November 9, 2011
Joint Meeting, City Council and
Lake Elmo Library Board
ITEM #: E.

AGENDA ITEM: Revised/Corrected Budget Estimates; Art Center Structural Modifications Discussion

SUBMITTED BY: Craig W. Dawson, Interim City Administrator

BACKGROUND INFORMATION:

1) Revised/Corrected Budget Estimates

As I reviewed with former city administrator Bruce Messelt the first-year cost estimates he prepared for the library to be in the Art Center and Wahl Library sites, we were focusing on the costs of equipment, rents, operations, and improvements. As I later prepared estimates to fully account for the \$261,000 revenue from the tax levy for library operations, I included a \$55,000 estimate for staff costs (the library's, and for reimbursement for City staff services). After the November 1 City Council meeting, I overlooked that Mr. Messelt's estimates *did* include a \$36,000 estimate for staff costs. Consequently, the full budget estimate that I prepared double-counted \$36,000 in staff costs for the first year (and I am sincerely sorry about this error on my part). Mr. Messelt's estimate assumed limited part-time staff and volunteers to operate the Library; I am more comfortable with my more conservative (i.e., higher cost) estimate of potential staff costs, and am suggesting the following revised budget/cost estimate. It allocates the original \$36,000 to increase the Contingency to 15 percent (as the Council had indicated it preferred), with the remainder being made available for reimbursement for Washington County library cards.

	<u>Art Center</u>	<u>Rosalie A. Wahl Library Site</u>	
Oct. 18 estimate	\$ 136,100	\$ 157,100	
Add Engr's estimate	<u>26,800</u>	<u> </u>	(revised for structural improvements)
	\$ 162,900	\$ 157,100	
Addl staffing/admin	\$ 19,000	\$ 19,000	(revision to prior CDawson estimate)
Library consultant	\$ 5,000	\$ 5,000	(services in 2011-12; to be covered with 2012 levy)

Contingency	\$ 39,000	\$ 39,000	(15%; e.g., future land & bldg costs, legal costs, build \$ reserves)
Library card reimbursement	\$ <u>35,100</u>	\$ <u>40,900</u>	(amount left available)
Total levy available	\$ 261,000	\$ 261,000	

The total for structural improvements to the Art Center is estimated to be \$31,800. This is a first-year cost, and would not recur in subsequent years.

It was mentioned during the November 1 Council meeting that the Library Board should build reserves (also known as fund balance) to a level that is at least the minimum recommended for the City: 40 percent of the operating budget. This level of reserves is primarily for cash-flow purposes, as the property tax revenue is received in only two installments (one by July 1, the other in December). Building the Library Fund's reserves would alleviate the need for the City to float the Library's financial obligations with City funds. Forty percent of the \$261,000 levy is approximately \$105,000.

2) Art Center Structural Modifications

The second line of the suggested budget notes an addition for the Engineer's estimate for structural improvements recommended for the Art Center to serve as a library. For purposes of the October 18 estimate, staff asked for a quick estimate of the cost by the structural engineer before its work was fully complete, and \$1,000 and \$4,000 were considered likely depending on whether minor or major shoring was to be done. The engineer delivered a final report (without costs) on October 17, and finished the report by including cost estimates on October 20. The total cost to shore up the Art Center was approximately \$31,800; the \$26,800 is the net additional amount to the budget to perform this work.

There was discussion at the Council meeting whether the load-carrying capacity was over-engineered, and whether there could be modifications that would lower the cost for improvements. Pertinent excerpts from the Engineer's report are as follows (and with any *emphasis* added):

"Residential framing capacity, as required by the ASCE 7 [building] code, should have a capacity of 40 pounds per square foot for main areas. ...

"Load carrying capacity for libraries is a whole different magnitude. The stack areas where there are book shelves have a *code prescribed load requirement* of 150 pounds per square foot. Corridors are required to carry 80 pounds per square foot. Reading rooms must carry 60 pounds per square foot.

"Perspective of loading requirements can get lost in the numbers so a few comparisons are helpful. A parking garage has a load requirement of 50 pounds per square foot. Dance halls have load carrying requirements of 100 pounds per square foot.

"Books in a library weigh approximately 65 pounds per cubic foot. An average row of books is around 0.5 cubic foot per foot or approximately 32 pounds per lineal foot. A library floor system should sustain a stack of books approximately *4 bookshelves high* considering the weight of the shelf containing the books.

"The key to getting the proper structure for a library is to either spread the load of books over a wide area so that the loads are small[,] or to concentrate them in a small area that is heavily fortified for the book loads.

"Given the very large difference between load capacity requirements for homes and for libraries, *converting a home to a library is a major structural stretch at the onset.* Next[,] considering that most homes are constructed with no professional guidance, *the chance that a home has an Achilles' heel in its structure that severely limits its capacity is very likely.* Usually homes will have adequate capacity in the floor joists *but the total system becomes limited by beams or headers which are seldom built with enough capacity to sustain all loads delivered to them by joists.* Another common weak spot in residential framing is connections. Unless a framer uses properly sized steel hangers, *it is usually not possible to use enough nails to properly transfer loads from a joist to a beam.*

Evaluating the Lake Elmo Art Center property[,] *we found the typical residential weaknesses discussed above.* The joist system in general provides capacities consistent with those prescribed for residential properties *but many beams and headers are very weak severely limiting the capacity of the floor system.* In some cases *the floor system does not even meet the minimum capacity for a lightly loaded residential property."*

A multi-part motion approved by the Council on November 1 stated a preference for the library to be located in the Art Center, subject to sufficient reductions in costs for needed construction. Given the Engineer's analysis of the structural condition of the Art Center and the building code requirement for loading design for a library use, it would appear that there would be risk in pursuing a less-intense engineering design for structural improvements.

Budget Item:	Arts Center	Lake Elmo Ave Library Site	Notes:
Facility Costs:			
Acquisition/Rent	\$ 0	\$ 2,500/mo	- Proposed: \$2,250 x 4 mo, \$2,500 x 4 mo, \$2,750 x 4 mo
Building Modifications	\$ 1,000 \$ 4,000	\$ 0 \$ 0	- Minor Shoring for 60 lbs/SF (library @ 150 lbs/SF) - Major Shoring for 150 lbs/SF (reading room @ 50 lbs/SF)
Utilities (Electric/Heat)	\$ 250/mo	\$ 250/mo	- Estimate from existing Library & Arts Center usage
Fire Equipment	\$ 60	\$ 60	- Estimate from existing Library usage
Cleaning	\$ 200/mo	\$ 200/mo	- Estimate based on current City Hall cleaning contract & existing library costs
AV/IT Costs:			
Facility Set-up	\$ 200	\$ 0	- Comcast Rack Rate (negotiable with bundling)
Wireless Router	\$ 1,000	\$ 1,000	- Metro-INET to spec and install unit
T1/Cable Internet Line	\$ 200/mo	\$ 460/mo	- Comcast Rack Rate (negotiable w/ bundling). T1 in Library. - 50m x 10m speed for Cable Internet (top commercial package)
Cable TV/Internet Svc	\$ 30/mo	\$ 50/mo	- Replace existing Arts Center Cable (gross \$ 50/mo) - Estimate from existing Library usage
Computer Printer	\$ 1,500	\$ 1,500	- 3 at \$ 500 per unit
Telephone Service	\$ 50/mo	\$ 80/mo	- Augments existing Arts Center Phone Line (\$ 20/mo) - Estimate from existing Library usage
DCL/ILL & Software	\$ 1,000/mo	\$ 400/mo	- Estimate from existing South St. Paul Library usage - Estimate from existing Library usage
Computers & Software	\$ 6,000	\$ 6,000	- \$1,200 per unit (4 public, 1 staff)

FF & E			
Furnishings	\$ 1,000	\$ 1,000	- Assume donations of most items
Photocopier	\$ 150/mo	\$ 150/mo	- Estimate for rental
Fax/Scanner	\$ 500	\$ 500	
Miscellaneous	\$ 2,500	\$ 2,500	
Collections:			
Opening Day Collection	\$ 30,000	\$ 30,000	- Estimate
Collection Maintenance	\$ 1,000/mo	\$ 1,000/mo	- Estimate for first year. \$ 2,000/mo thereafter.
Misc. Office Supplies	\$ 2,500	\$ 2,500	
Personnel:			
Staffing	\$ 3,000/mo	\$ 3,000/mo	- Estimate based upon PT Library Director plus misc. PT staff
Volunteer Training, etc.	\$ 250/mo	\$ 250/mo	- Background investigations, etc.
Admin/Office Support	\$ 1,000/mo	\$ 1,000/mo	- Estimate of Admin support
TOTAL COST:			
Cost per Month	\$ 11,340	\$ 13,095	
Annual Cost	\$ 136,070	\$ 157,140	

RETROFIT OF ART CENTER FOR LIBRARY

<i>CONSTRUCTION ELEMENT</i>	<i>QUANTITY</i>	<i>UNIT</i>	<i>LABOR/DAY</i>	<i>TIME / EA</i>	<i>UNIT COST</i>	<i>UNIT SUBTOTAL</i>	<i>EXT. SUBTOTAL</i>
DIVISION 2							
DEMOLITION							
FLOOR CUTS FOR FOOTINGS	25	EACH	\$ 1,312.00	0.2	262.40	6,560.00	
							6,560.00
DIVISION 3							
CONCRETE FOOTINGS							
CONCRETE MATERIALS TO SITE	10	CY			110.00	1,100.00	
REINFORCING STEEL	700	LBS			0.75	525.00	
LABOR	25	EACH	\$ 1,282.00	0.2	256.40	6,410.00	
							8,035.00
DIVISION 6							
LVL SUPPORT BEAMS							
STEEL COLUMNS	25	EACH			60.00	1,500.00	
7-1/4 LVL LUMBER FOR BEAMS	144	LF			4.00	576.00	
9-1/4 LVL LUMBER FOR BEAMS	334	LF			4.50	1,503.00	
FASTENERS / TIES / BOLTS	1	SET			300.00	300.00	
LABOR	3	DAYS	\$ 1,544.00		1,544.00	4,632.00	
							8,511.00
						SUB-TOTAL	\$23,106.00
						MOBILIZATION	\$1,000.00
						15% GENERAL CONTRACTOR FEE	\$3,465.90
						TOTAL ESTIMATE	\$27,571.90
						10% DESIGN ENGINEERING FEE	\$2,800.00
						5% CONST. ADMIN. ENGINEERING FEE	\$1,400.00

library board member shall not be eligible to serve more than three consecutive three-year terms.

Subd. 3. **Removal of members.** The mayor with the approval of the council, or the board of county commissioners may remove any member for misconduct or neglect.

Subd. 4. **Abolishment.** Upon recommendation of a majority of any library board created under the provisions of subdivision 1, the governing body of the city or county may abolish the library board at the end of any fiscal year provided that the governing body shall simultaneously establish a successor library board of either five, seven or nine members by resolution or ordinance. The appointment of successor board members shall be made as provided in subdivision 1. The terms of successor board members shall be as provided in subdivision 2.

History: (5663) *RL s 2257; 1943 c 245 s 1; 1945 c 46 s 1,2; 1961 c 235 s 1; 1973 c 123 art 5 s 7; 1983 c 314 art 11 s 3; 1986 c 471 s 2*

134.10 BOARD VACANCIES; COMPENSATION.

The library board president shall report vacancies in the board to the council or the board of county commissioners. The council or board of county commissioners shall fill the vacancies by appointment for the unexpired term. Library board members shall receive no compensation for their services but may be reimbursed for actual and necessary traveling expenses incurred in the discharge of library board duties and activities or a per diem allowance according to section 375.47 in place of the expenses.

History: (5664) *RL s 2258; 1983 c 314 art 11 s 4; 1987 c 398 art 9 s 1*

134.11 ORGANIZATION OF BOARD; DUTIES.

Subdivision 1. **Organization.** Immediately after appointment, the library board shall organize by electing one of its number as president and one as secretary, and from time to time it may appoint such other officers as it deems necessary.

Subd. 2. **Duties.** The library board shall adopt bylaws and regulations for the government of the library and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditure of all money collected for or placed to the credit of the library fund, of interest earned on all money collected for or placed to the credit of the library fund, of the construction of library buildings, and of the grounds, rooms, and buildings provided for library purposes. All money received for the library shall be paid into the city or county treasury, credited to the library fund, kept separate from other money of the city or county, and paid out only upon approval by the board. The library board may lease rooms for library use. The library board shall appoint a qualified library director and other staff as necessary, establish the compensation of employees, and remove any of them for cause. With the approval of the council or board of county commissioners, the library board may purchase grounds and erect a library building thereon.

History: (5665) *RL s 2259; 1973 c 123 art 5 s 7; 1983 c 314 art 11 s 5*

134.12 BENEFITS OF LIBRARY.

Subdivision 1. **Nonresidents.** Any library board may admit to the benefits of its library persons not residing within its city or county under regulations and upon conditions as to payment and security prescribed by the library board.

Subd. 2. **Contracts with cities and towns.** The library board may contract with the county board of the county in which the library is situated or the county board of any adjacent county, or