

MINUTES FOR THE MEETING OF THE
BARABOO PUBLIC LIBRARY BOARD OF TRUSTEES

Date and Time: Tuesday, December 17, 2019 - 5:30 p.m.

Location: Lower Level Meeting Room, Baraboo Public Library 230 4th Ave. Baraboo, WI
53913

Members Present: J. Ellington, F. Hartmann, A. Kujawa,, P. Roland, M. Yates-Wickus, B.
Stelling

Members Absent: L. Steffes (excused), B. Persche (excused), P. Zolper (unexcused)

Others Present: Jessica Bergin, Kennie Downing

I. Call to order (J. Ellington 5:30 p.m.)

- A. Note compliance with Open Meeting Law
- B. Roll call
- C. Approval of the 11-19-19 Library Board meeting minutes--Motion to approve 11-19-19
Board meeting minutes A. Kujawa, F. Hartmann 2nd. Motion passes unanimously.
- D. Approval of the Agenda--Motion to amend agenda to remove items D and F by F.
Hartmann, B. Stelling second. Motion passes unanimously.

II. Public Hearings/Appearances

Kennie Downing, new city administrator, introductions.

III. Action items

- A. Discussion and action on amendment to Professional Services Agreement with MSA
regarding compensation for asbestos inspection--F. Hartmann makes a motion to not
approve amendment as written, suggesting the architects absorb the cost of the
additional testing. A. Kujawa seconds motion. Discussion. Roll called J. Ellington-no, F.
Hartmann-yes, A. Kujawa-yes, P. Roland-no, B. Stelling-no, M. Yates-Wickus-no. Motion
does not pass. B. Stelling makes motion to accept the amendment to the Professional
Services Agreement, agreeing to pay the additional \$1800. Second M. Yates-Wickus.
Discussion. Roll called. J. Ellington aye, F. Hartmann no, A. Kujawa no, P. Roland aye,
B. Stelling aye, M. Yates-Wickus aye. Motion passes.
- B. Discussion and possible action on Community Development Block Grant--Update:
Question was brought to the City of Baraboo Finance committee to make a decision
about block grant scheduled for the January meeting. No action for the Library Board to
take at this time.

- C. Discussion and possible action on hiring legal counsel to represent The Baraboo Public Library board, per recommendation of City Attorney. (SEE ATTACHMENT.) Discussion of issue. F. Hartmann wonders if this is premature. Discussion of Wisconsin statute 43.58 (4). T. Kujawa makes motion to take City Attorney's advice and authorize Jessica Bergin, as library director and per Wisconsin statute 43.58 (4), the authority to enter into negotiations pursuant to the City's Purchasing Policy with qualified legal counsel for the purposes of obtaining special counsel for the Library Building Project when needed. B. Stelling second. Additional discussion. J. Ellington-yay, F. Hartmann-nay, A. Kujawa-yay, P. Roland-yay, B. Stelling-yay, M. Yates-Wickus-yay. Motion passes.
- ~~D. Discussion and possible action on contracts with Community Development Authority and/or City regarding building expansion project, if available~~
- E. Discussion and action to approve final 2020 budget as approved by City Council-- Jessica Bergin. The only change since last presented is the item of salary. Discussion about salary changes. Cost of living increase, should make things higher, but the total is lower because, Meg Allen's (previous library director) health insurance was still being paid this year, while next year that will not be the case. A. Kujawa makes a motion to approve final 2020 budget as approved by the City Council. M. Yates-Wickus second. Roll called. J. Ellington-yay, F. Hartmann-yay, A. Kujawa-yay, P. Roland-yay, B. Stelling-yay, M. Yates-Wickus-yay. Motion passes unanimously.
- ~~F. Discussion and action on 2020 budget amendments~~
- G. Bills: P. Roland, Examiner. Motion to pay the bills P. Roland. B. Stelling second. Motion passes unanimously.

IV. Information items

- A. Financial Reports, Jessica Bergin. We will need to approve adjustments for 2019 budgetary items that went over budget in 2019 at the January 2020 meeting. There were areas where the budget was under, so this should not be a problem. A. Kujawa makes a motion to approve financial reports. F. Hartmann second. Motion passes unanimously. F. Hartmann gives a brief overview of investments from Schadde donor.
 - a. Revenue and donations report
 - b. General Fund Income Statement with Comparison to Budget report
 - c. Trust Fund report
 - d. LPL Brokerage Funds report
- B. Staff reports Jessica Bergin. Over 200 people for film festival. Over 200 people attended turkey bingo. The library worked in partnership with the City and was able to use the gym at Civic Center for no charge.
 - a. Adult Services Report (see highlights above)
 - b. Youth Services Report (see highlights above)
 - c. Director's Report (none)
- C. Statistics Jessica Bergin (Note: new Wi-Fi service records how many unique users rather than how many individual log ins. This provides more accurate data.)

D. Friends report – P. Zolper (absent, Jessica filled in) Book sale was successful, making over \$3700. Music with friends concerts monthly for the next three months.

E. Correspondence

a. Letter of appreciation for Juanita Schadde (all sign)

V. Adjourn (B. Stelling makes motion to adjourn. F. Hartmann second. Motion passes unanimously. Meeting adjourned 6:15 p.m.)

OFFICE OF THE BARABOO CITY ATTORNEY

Memorandum

To: Baraboo Public Library Board of Trustees
Jessica Bergin, Library Director
Kennie Downing, City Administrator
From: Emily Truman, City Attorney
Date: December 16, 2019
RE: Recommendation for Special Counsel – Library Building Project

As City Attorney, I am tasked with representing the City in all of its legal matters. §62.09(12), Wis. Stats. As part of my broader duties as City Attorney, I also provide legal counsel to the Library Board of Trustees. The majority of the time there is no conflict with my providing legal services to both the City and Library Board; however, when a conflict does arise, my duty of responsibility lies with representing the City.

It is for this reason that I am recommending the Library Board retain their own legal counsel for the upcoming library building project - at minimum, for the limited scope of providing contract review for the Library Board given that the project anticipates the Library Board, the City and the CDA entering into contracts with one another. Although the probability of a conflict arising between any of the parties is very slight, because there is nonetheless a possibility, it will be in the best interests of the Library Board to have an independent attorney separate from myself reviewing the contracts and advising the Board.

It is therefore my suggestion the Library Board grant Jessica, as Library Director and per §43.58(4), Wis. Stats., the authority to enter into negotiations pursuant to the City's Purchasing Policy with qualified legal counsel for the purposes of obtaining special counsel for the Library Building Project.