



BOARD OF TRUSTEES OF THE INDIANOLA PUBLIC LIBRARY

October 12, 2021

5:45 PM

Indianola Public Library - Meeting Room B

Agenda

- 1. Call to Order**
- 2. Public Comment**
- 3. Agenda Approval**
- 4. Minutes Approval**
- 5. Trustee Continuing Education**
 - A. State Library Trustee Handbook, Ch. 13: Library Law and Legal Matters
- 6. Financial Reports**
 - A. Approve Monthly Claims
 - B. Review Financial Reports
- 7. Unfinished Business**
 - A. Policy Review: Code of Conduct
- 8. New Business**
 - A. Library Piano
 - B. Policy Review: Genealogy Research
- 9. Reports**
 - A. Director's Report
 - B. Library Statistics
 - C. Building Report - Steering Committee Update
- 10. Agenda Items for Next Meeting**
- 11. Trustee Comments**
- 12. Adjourn**



Chapter 13: Library Law and Legal Matters

It is important for board members to understand the essentials of a number of federal, state and local laws. Please consider this chapter to be legal information, not legal advice, which is defined as the application of law to specific circumstances. You should consult a lawyer if you want professional assurance that the information, and your interpretation of it, is accurate.

City-Library Ordinance

Most of Iowa's public libraries are established by an ordinance very similar to the sample ordinance in the appendix of this Handbook. Libraries established after Iowa's Home Rule Act (1972 Acts chapter 1088) may have an ordinance similar to the sample ordinance or it may be substantially different. In the city-library ordinance you will likely find:

- ❖ The number of board members, how they are appointed, and their term of office
- ❖ The powers and duties of the board, including its authority to set the librarian's salary and control the library's expenditures
- ❖ Procedure for budgeting and approving bills
- ❖ Reports required from the library to the city council

Changing the Library's Ordinance

"A proposal to alter the composition, manner of selection or charge of a library board, or to replace it with an alternative form of administrative agency, is subject to the approval of the voters of the city." (**Iowa Code 392.5**) For sound reasons, changing the library ordinance is not simple. Most other city ordinances are changed through a vote of the city council. However, substantial changes to the library ordinance—such as changing the number of board members, how board members are appointed, or their powers and duties—require a public vote at a general election.

A frequently asked question about the library ordinance is “Our ordinance states that all seven members of the board shall be residents of the city. We would like one of the board members to be a rural resident. How do we proceed?” Such a change to the library ordinance must be submitted to the voters in a city election. The library board may request that the proposed changes be placed on the ballot. If a majority of the voters approve, the city changes the library ordinance in accord with the proposal.

Iowa Code 392.5 protects library boards and the powers of library trustees against direct city control over libraries. This protection insulates library governance from political influence and safeguards intellectual freedom. The exception to this is libraries that have advisory boards; Iowa has two such advisory boards, all others are administrative governing boards.

Open Meetings

“This chapter seeks to assure, through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people. Ambiguity in the construction or application of this chapter should be resolved in favor of openness.” (Iowa Code 21.1)

Library board meetings are subject to the Iowa Open Meetings Law. Iowa law assumes that meetings are open to the public. Iowa citizens do not have to make a case to attend a governmental meeting such as a library board meeting. Even an informal meeting of library trustees would be subject to the Open Meetings Law if there is a majority of the trustees at the gathering and library business is discussed.

What is the Definition of a Meeting?

A meeting is defined as “a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body [library board] where there is deliberation or action upon any matter within the scope of the [library board’s] policy-making duties.” (Iowa Code 21.1)

How Much Notice Should Be Given for the Meeting?

Boards are required to publicly post their meeting notice at least 24 hours in advance. The posting should be in a prominent place, accessible to the community, in the building where the meeting is expected to take place. The agenda should also be posted online, ideally on the library website and the city website. The agenda must include the date, time, and meeting place. If a news/media agency requests a copy of the notice and agenda, the library board must supply it.

What Additional Information Must Be on the Agenda?

The agenda should include all business to be discussed at the meeting in enough detail to give community members a good idea of what topics will be discussed. If an item comes up at the meeting that has not been included on the agenda, action should be deferred to a later meeting. However, the law does allow for items that may come up on

an emergency basis.

What Should Be Included in the Minutes?

Minutes of all library board meetings must be kept and include the date, place, the members present, any action taken at the meeting and enough information to allow the public to determine how each member voted. Minutes are subject to the Open Records Law and must be made available to the public if requested.

When May a Meeting Be Closed?

To have a closed session, the government body must first meet in an open session. This means notice and the agenda, which reasonably apprises the public of what is about to occur, must be posted 24 hours in advance. The government body may go into closed session only with two-thirds majority vote of the entire board or a unanimous vote of all the trustees present. In addition, the specific reason to go into closed session under **Iowa Code 21.5** must be announced in open session. If a closed session is conducted (note: there is no requirement to have a closed session) detailed minutes of the closed session must be kept and the closed session must be audio recorded. No final action may be taken during the closed session.

There are very few reasons listed allowing a closed session and each reason has very specific requirements. The following examples illustrate the need to read and become familiar with the law before going into closed session. **Iowa Code 21.5(1)(i)** allows trustees to evaluate the professional competency of an employee or potential employee, but two criteria must be met: (1) the closed session must be *"necessary to prevent needless and irreparable injury to that individual's reputation"* and (2) the person you are evaluating must request a closed session. Without both requirements met, a closed session is not allowed by law.

Another example is when the government body is discussing the purchase of real estate. A closed session may be held only if the *"premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property."* This particular section is unique because after the transaction is complete the government body must make available the audio recording and minutes from the closed session.

The specific requirements of the Open Meetings Law can be confusing. If you are uncertain, seek legal advice before proceeding. Under the Open Meetings Law there are exceptions to the liability of the law if you *"reasonably relied upon a decision of a court or a formal opinion of the attorney general or the attorney for the governmental body."* You may also contact the **Citizens' Aide/Ombudsman Office** at 888-426-6283 or review the **Iowa Attorney General Sunshine Advisories**.

Board members should be familiar with Iowa's Open Meeting Law and each member should have a copy of the Iowa Open Meetings/Open Records Handbook, available from the **Iowa Freedom of Information Council**.

Open Records and Confidentiality

“Every person shall have the right to examine and copy public records ... [however] the following records shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information ... The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.” (Iowa Code 22.2 and 22.7(13))

Library boards should take every precaution to guard the confidentiality of library customers. This includes ensuring that:

- ❖ A confidentiality policy for the library is adopted by the board.
- ❖ Circulation records in an automated system are not kept after statistics are recorded and the material is returned; any fines or fees attached to the record are paid.
- ❖ Overdue notices are sent only in sealed envelopes or via e-mail and never on postcards where others could see what the customer has checked out.
- ❖ Phone reminders of overdue items and reserves left on answering machines maintain confidentiality by not verbally revealing the titles of the items.

Included in a confidentiality policy should be a statement about the custodian of the record and the circumstances within which library check-out records may be released. The identity of which customer requested which materials or information may be revealed only:

- ❖ If the library is presented with a court order. (The court order must indicate that this information is needed for the investigation of a particular person or an organization and may only be issued after a judge has determined if the connection between the case and the record makes it “cogent and compelling” that the information is released.)
- ❖ If the lawful custodian of the records, defined by an Iowa Attorney General’s opinion to be the library director, releases the information. (To safeguard customers’ confidentiality, the library board should state in the policy that the record shall be opened by the lawful custodian only upon receipt of a court order as indicated above.)

Library customer information (such as names and addresses) that is not attached to a circulation record may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards. The board should adopt a policy on release of this type of information. See **Iowa Code 22.7(18)**.

Questions on Confidentiality and Open Records

An issue that is frequently raised is if a parent can see the titles checked out on a child's card. Parents, under **Iowa Code 613.16**, are liable for the acts of their children. At the same time, **Iowa Code 22.7 (13)** protects the confidentiality of all library patrons regardless of age. Thus, parents are liable for the acts of their children and yet children are included in the right to have their library records kept confidential. Obviously, libraries are in a difficult position as a result of these two Iowa Code sections.

As noted previously, **Iowa Code 22.7** does allow for discretion on the part of the custodian of the records, who is most often the library director. In other words, the Iowa Code gives the custodian of the records, the library director, the authority to decide whether or not to release library records. If records are requested by a criminal or juvenile justice agency, the library director may release the records only upon receiving a court order.

Some libraries in Iowa will not release the records of a child to a parent under any circumstance. Others will release them in certain situations. To protect intellectual freedom, library boards should err on the side of confidentiality. Releasing the records of a library patron, regardless of age, should be the exception rather than the rule. A parent who wishes to know what a child has checked out has at least two other options besides asking the library director for the child's library records. A parent could simply ask the child what is checked out or require the child to check out materials under the parent's card.

Patron records may be used for purposes of fundraising by Library Friends or Foundation groups as long as the list does not link the customer with the material or information requested, it is an open record and is open to inspection by the general public. However, as noted earlier, this information may also be kept confidential if the library board reasonably believes that releasing the information would discourage people from applying for library cards.

Gender Balance For Library Boards

"All appointive boards, commissions, committees, and councils of the state established by the Code, if not otherwise provided by law, shall be gender balanced." (**Iowa Code 69.16A**)

Note: striving for gender balance is a city government obligation because mayors appoint and councils approve library board members. Note that the law allows an exemption if a "good faith effort" has been made for three months to gender-balance appointments.

Your board can and should take a partnership role in helping your city government in this effort. For example, you and the director can develop a list of potential trustees ahead of when vacancies need to be filled. Be sure to include both male and female candidates, then submit your list to the mayor's office.

Compatibility of Office

Not all possible combinations of public office have been tested in the courts or by the Iowa Attorney General's office. However, the following offices, specifically applying to libraries, are considered incompatible, meaning that one person should not hold both offices at the same time:

- ❖ Council member and library board member
- ❖ City clerk and library board member
- ❖ Mayor and library board member

A person may seek an office position currently incompatible with the office now held if the person gives up the current office upon taking over the new office (based on a 1912 Iowa Supreme Court decision "State v. Anderson" [136 N.W. 128] that addresses compatibility of office).

During your time on the board you may also come across situations that raise questions about conflict of interest. One example is a board member who wants to work as a substitute at the library and be paid. Although it is technically legal (**Iowa Code 362.5**) it is not recommended. Even if the board member abstains from voting on his or her pay, this practice still puts the library director in the position of supervising someone who is actually his or her employer. This could be a very difficult position for the library director if the board member's performance as a substitute is unsatisfactory.

Another example of potential conflict of interest is a board member whose relative is a library staff member. The employee may go around the director to take concerns to the board member when the issue should be resolved by the library director and the employee. Allowing this type of situation to continue undermines the authority of the director.

If you as a trustee are sincerely concerned about a potential conflict of interest, discuss the situation with the full board. Then consider a discussion with the city manager, city attorney, mayor and/or city council. Because to allow a potential conflict of interest to go unresolved could damage the library's credibility in the community for years to come. If you are unable to decide whether or not there is a conflict of interest, unresolved questions can be formally addressed to the Iowa Attorney General's Office by an elected official.

Board Liability

"A person who performs services for a municipality or an agency or subdivision of a municipality and who does not receive compensation is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. For purposes of this section, 'compensation' does not include payments to reimburse a person for expenses." (Iowa Code 670.2)

The legal power of the board comes when the board acts as a body. To guard against potential liability, avoid the following:

- ❖ Acting in excess of authority, i.e. inappropriate expenditures or exceeding budget spending levels
- ❖ Failing to act when action should have been taken, i.e., failure to meet contractual obligations
- ❖ Negligence, i.e., unsafe buildings and grounds, failure to supervise funds
- ❖ Intentional misconduct, i.e., libel, improper discharging of an employee, theft
- ❖ Acting in violation of the law, i.e., authorizing payment of improper expenses, failing to follow proper rules for hiring

Fair Labor Standards Act (FLSA)

The federal Fair Labor Standards Act (FLSA) establishes standards for basic wages, overtime pay, record keeping, and child labor.

Basic Wages

Each library employee must be paid not less than the minimum wage. Library employees must be paid for hours worked and may not volunteer time without pay. As of this writing Iowa's minimum wage is \$7.25. For detailed information on Iowa's minimum wage, refer to the **Iowa Department of Workforce Development**.

Paying Library Staff During Training

According to Iowa Workforce Development: *"If any such gathering is required by an employer, or if an employer leads its employees to believe they will receive adverse treatment for not attending, the employer must pay its employees for the time spent in attendance."* (Iowa Workforce Development) This is also a Tier 1 standard addressed in Iowa Public Library Standards. **Standard #23:** *"The library allows the director to participate in continuing education opportunities during their work time."*

Overtime Pay

Within the public library are employees who are exempt and those who are non-exempt

from the FLSA regulations; one of the deciding criteria is whether the employee has independent decision-making authority. The director of a public library is usually an exempt employee if he or she directs a staff of at least two. Those employees who do not have independent decision-making authority, even if they have a library science degree, are non-exempt from the FLSA. To determine whether a position is exempt or non-exempt, call the Wage and Hour Division of the **U.S. Department of Labor** Iowa office at 515-284-4625.

Non-exempt employees must be paid overtime at a rate of not less than one and one-half times their regular rates of pay after 40 hours of work in a workweek. A workweek is defined as seven consecutive 24 hour periods, fixed and regularly occurring; each workweek stands alone. Time off may be granted within the workweek if the employee has reached 40 hours before the end of the week. In other words, an employee may work 10 hours each day, four days straight within the workweek without being paid overtime. However, if the employee works 45 hours during one workweek and 35 hours during the next, five hours of overtime must be paid.

For libraries in the public sector, compensatory time may be given in lieu of overtime, but must be given at the rate of “time and a half” to non-exempt employees.

Recordkeeping

The FLSA requires that employers keep records on wages, hours, and other items, as specified in Department of Labor recordkeeping regulations. Most of the information is the kind generally maintained by employers; the records do not have to be kept in any particular form and time clocks need not be used.

Child Labor Standards

Fourteen is the minimum age for library work; youths 14 and 15 years old may work at the library outside of school hours under the following conditions:

- ❖ No more than 3 hours per school day and 18 hours in the school week
- ❖ No more than 8 hours on a non-school day or 40 hours in a non-school week
- ❖ Work may not begin before 7:00 a.m. or continue after 7:00 p.m. except from June 1 through Labor Day when permissible evening hours are extended to 9:00 p.m.

A library may hire youths 16 years of age and older to work unlimited hours within the guidelines of the FLSA.

For more information on FLSA, see the Wage and Hour Division of the **U.S. Department of Labor**.

Iowa Gift Law

“Except as otherwise provided in this section, a public official, public employee, or

candidate, or that person's immediate family member shall not, directly or indirectly, accept or receive any gift or series of gifts from a restricted donor." (Iowa Code 68B.22)

The library's director and trustees are subject to the Iowa Gift Law. You cannot accept a gift for personal use that has a value of over \$3.00 from anyone who wants to do business with the library. For example, you cannot personally accept a gift from a book salesperson who could sell books to your library. However, if the benefit is available generally, it is not considered a gift. For example, if Baker & Taylor provides book discounts to library staff members in all libraries, it is not considered a gift to an individual employee and does not fall under the Iowa Gift Law.

Digital Millennium Copyright Act (DMCA)

On October 12, 1998, Congress passed the Digital Millennium Copyright Act (DMCA). The law became effective in October 2000 and it has been incorporated into the Copyright Act (Title 17 of the U. S. Code). This landmark legislation updated U.S. copyright law to meet the demands of the Digital Age and to conform U.S. law to the requirements of the World Intellectual Property Organization (WIPO) and treaties that the U.S. signed in 1996. Divided into five "titles," the DMCA is a complex act that addresses a number of issues that are of concern to libraries. Among its many provisions, the Act:

- ❖ Imposes rules prohibiting the circumvention of technological protection measures
- ❖ Sets limitations on copyright infringement liability for online service providers (OSPs)
- ❖ Expands an existing exemption for making copies of computer programs
- ❖ Provides a significant updating of the rules and procedures regarding archival preservation
- ❖ Mandates a study of distance education activities in networked environments
- ❖ Mandates a study of the effects of anti-circumvention protection rules on the "first sale" doctrine

The DMCA provides safe harbor from copyright infringement liability for online service providers. In order to qualify for safe harbor protection, certain online service providers—like public libraries—must designate an agent as the person who will receive notices of copyright infringement.

To designate an agent, a service provider must do two things: (1) make contact information for the agent available to the public on its website and (2) provide that same information to the federal copyright office, which maintains a centralized online directory of designated agent contact information for public use. The service provider must also ensure that this information is up to date.

The DMCA License renews for \$6.00 every three years. The license recognizes the public library as a provider of public Internet access and helps to alleviate problems when people illegally download content via the library's computers.

If your library has ever received a "cease and desist" letter from your Internet service provider, you'll appreciate the benefit of this license. It's not uncommon for public libraries to be notified of illegal downloading activity happening on the library's computers, typically by people illegally downloading movies. So this DMCA license indicates that a public library will pledge to curtail illegal use of its public Internet computers and to report the library director (typically) as an "agent."

For more information, see the **DMCA webpage** on the State Library website.

For answers to other legal questions, refer to the **Library Law FAQ** developed by the State Library Law Librarian.



Invoices for Board Meeting

October 12, 2021

Vendor	Amount	Description of services or goods
Air-Con Mechanical	\$1,164.24	Service call (boiler repair)
Amazon	\$1,361.28	craft supplies, DVDs, unboxed & loot box goodies, books, other materials and supplies
Baker and Taylor	\$3,334.92	Books
Baker and Taylor Entertainment	\$277.41	DVDs
Baker and Taylor Spoken Word	\$342.65	Books on CD
Center Point Large Print	\$524.88	Large print books- western subscription renewal
City of Indianola (IMU)	\$2,273.73	Utilities
Clark Glass	\$1,120.00	Skylight and door repairs
Demco	\$263.08	Book covering supplies
Envisionware	\$1,175.00	Mobile printing software
Excel Lawn & Landscape	\$156.00	Mowing services (9/4 & 9/10 invoices)
Findaway	\$749.40	Wonderbooks
Iowa Water Management Co.	\$80.00	Monthly agreement (Sept and Oct)
MidAmerican Energy	\$23.43	Natural Gas
PerMar Security	\$1,221.24	Monitoring services
Petty Cash	\$150.00	Petty cash
6-ft Geek	\$1,450.00	Janitorial services
TRM Disposal	\$106.00	Trash removal
Unique Management	\$50.00	Collection agency
Waste Management	\$7.17	Recycling tote
Wood Roofing Company	\$285.00	Roof repair
Wells Fargo	\$1,125.82	General Fund Total: \$1125.82* See statements for details *Includes Alison's Sept statement

Total: **\$18,691.25**

Approved

Date

Approved

Date

Budget Summary



Personnel	Sept	Year-to-Date	YTD Budget	Variance	Budget	% Spent
Salaries	29,482.81	86,123.47	88,619.25	2,495.78	354,477.00	24.30%
Benefits	12,083.78	36,152.75	43,017.25	6,864.50	172,069.00	21.01%
TOTAL	41,566.59	122,276.22	131,636.50	9,360.28	526,546.00	23.22%

Collection	Sept	Year-to-Date	YTD Budget	Variance	Budget	% Spent
Print	4,393.27	11,033.30	18,500.00	7,466.70	74,000.00	14.91%
Digital	4,960.76	6,960.76	3,746.25	(3,214.51)	14,985.00	46.45%
Special	388.54	661.98	1,100.00	438.02	4,400.00	15.05%
TOTAL	9,742.57	18,656.04	23,346.25	4,690.21	93,385.00	19.98%

Operations	Sept	Year-to-Date	YTD Budget	Variance	Budget	% Spent
Repair/Maint	2,387.44	3,039.08	3,968.75	929.67	15,875.00	19.14%
Operations	32,858.33	58,593.21	37,082.00	(21,511.21)	148,328.00	39.50%
TOTAL	35,245.77	61,632.29	41,050.75	(20,581.54)	164,203.00	37.53%

TOTAL	Sept	Year-to-Date	YTD Budget	Variance	Budget	% Spent
TOTAL	86,554.93	202,564.55	196,033.50	(6,531.05)	784,134.00	25.83%

Capital Improvement Plan

	Sept	Year-to-Date	Budget	% Spent
Lighting	0.00	0.00	30,000.00	0.00%
Boiler	0.00	0.00	60,000.00	0.00%
TOTAL CIP	0.00	0.00	90,000.00	0.00%

Revenue Report | Sept 2021

Account Number	Account Title	YTD	Budget	Variance	% Budget
LIBRARY FUND - LIBRARY					
041-4100-40000	Property Taxes (R)	(22,185.46)	(550,000.00)	(527,814.54)	4.03%
041-4100-44700	Library Service Reimbursements (R)	0.00	(89,000.00)	(89,000.00)	0.00%
041-4100-47641	Library Fines (R)	(933.53)	(1,000.00)	(66.47)	93.35%
041-4100-49400	Transfer In--Property Taxes (R)	(7,703.51)	(177,094.00)	(169,390.49)	4.35%
Total: LIBRARY FUND - LIBRARY		(30,822.50)	(817,094.00)		
Total:		(30,822.50)	(817,094.00)		

Expense Report | September 2021

Account Number	Account Title	YTD	Budget	Variance	% Budget
LIBRARY FUND - LIBRARY					
041-4100-60110	Salary/Wages--Administration (E)	20,010.79	94,099.00	74,088.21	21.27%
041-4100-60130	Salary/Wages--Clerical (E)	66,112.68	260,378.00	194,265.32	25.39%
041-4100-61100	FICA (E)	6,324.21	27,011.00	20,686.79	23.41%
041-4100-61300	IPERS (E)	8,130.03	33,463.00	25,332.97	24.30%
041-4100-61420	Deferred Comp--457 (E)	975.00	5,700.00	4,725.00	17.11%
041-4100-61430	Employee Assistance Program (E)	237.60	162.00	(75.60)	146.67%
041-4100-61440	Wellness Program (E)	345.00	2,040.00	1,695.00	16.91%
041-4100-61500	Health Insurance (E)	16,998.21	81,738.00	64,739.79	20.80%
041-4100-61501	Dental Insurance (E)	787.47	4,106.00	3,318.53	19.18%
041-4100-61502	Vision Insurance (E)	108.00	431.00	323.00	25.06%
041-4100-61503	HSA Expense (E)	1,283.04	14,700.00	13,416.96	8.73%
041-4100-61550	Life Insurance/ADD/LTD/STD (E)	824.19	2,468.00	1,643.81	33.40%
041-4100-61599	Workers' Comp Insurance (E)	140.00	250.00	110.00	56.00%
041-4100-62100	Membership Dues/Subscriptions (E)	75.00	655.00	580.00	11.45%
041-4100-62300	Education/Training (E)	765.00	3,400.00	2,635.00	22.50%
041-4100-62700	Mileage (E)	34.72	970.00	935.28	3.58%
041-4100-63100	Repair/Maint--Bldg/Grounds (E)	3,039.08	15,875.00	12,835.92	19.14%
041-4100-63710	Utilities (E)	6,197.80	22,714.00	16,516.20	27.29%
041-4100-64020	Advertising & Legal Notices (E)	189.09	2,200.00	2,010.91	8.60%
041-4100-64082	Insurance--General Liability (E)	3,756.57	1,200.00	(2,556.57)	313.05%
041-4100-64083	Insurance--Property (E)	4,658.26	4,000.00	(658.26)	116.46%
041-4100-64084	Insurance--Boiler/Machinery (E)	0.00	650.00	650.00	0.00%
041-4100-64090	Janitorial Services (E)	5,102.04	21,000.00	15,897.96	24.30%
041-4100-64140	Printing (E)	0.00	1,000.00	1,000.00	0.00%
041-4100-64990	Misc Contractual (E)	251.96	1,300.00	1,048.04	19.38%
041-4100-65020	Library Books & Periodicals (E)	11,033.30	74,000.00	62,966.70	14.91%
041-4100-65021	Digital Materials (E)	6,960.76	14,985.00	8,024.24	46.45%

Expense Report | September 2021

Account Number	Account Title	YTD	Budget	Variance	% Budget
041-4100-65022	Special Collections (E)	661.98	4,400.00	3,738.02	15.05%
041-4100-65060	Office Supplies (E)	327.80	3,000.00	2,672.20	10.93%
041-4100-65070	Materials/Supplies (E)	2,439.10	7,857.00	5,417.90	31.04%
041-4100-65079	Materials/Supplies--Program (E)	1,152.49	5,700.00	4,547.51	20.22%
041-4100-65080	Postage (E)	167.26	750.00	582.74	22.30%
041-4100-65990	Miscellaneous (E)	0.00	500.00	500.00	0.00%
041-4100-67240	Computer Hardware/Software (E)	22,496.12	25,512.00	3,015.88	88.18%
041-4100-69301	Transfer Out-CIP (E)	0.00	90,000.00	90,000.00	0.00%
041-4100-69621	Transfer Out Info & Tech (E)	10,980.00	43,920.00	32,940.00	25.00%
Total: LIBRARY FUND - LIBRARY		202,564.55	872,134.00		
Total:		202,564.55	872,134.00		

Library Special Revenue | September 2021

Account Number	Account Title	YTD	Budget	Variance	% Budget
LIBRARY SPECIAL REVENUE FUND - LIBRARY SPECIAL REVENUE					
141-4100-43000	Interest (R)	(273.57)	0.00	273.57	100.00%
141-4100-44302	Enrich Iowa (R)	(4,309.71)	(7,000.00)	(2,690.29)	61.57%
141-4100-45040	Program Fees-Summer Reading (R)	(1,566.66)	0.00	1,566.66	100.00%
141-4100-47050	Donations/Contributions (R)	(2,492.87)	(5,000.00)	(2,507.13)	49.86%
141-4100-47051	Friends of the Library Contrib (R)	0.00	(10,000.00)	(10,000.00)	0.00%
141-4100-65020	Library Books & Periodicals (E)	2,536.21	5,000.00	2,463.79	50.72%
141-4100-65023	Summer Reading Program Expense (E)	1,522.46	0.00	(1,522.46)	100.00%
141-4100-65024	Friends of the Library Expense (E)	375.00	10,000.00	9,625.00	3.75%
141-4100-65025	Enrich Iowa Expenses (E)	805.46	7,000.00	6,194.54	11.51%
141-4100-65070	Materials/Supplies (E)	2,729.33	20,000.00	17,270.67	13.65%
141-4100-69000	Transfer Out (E)	0.00	0.00	0.00	100.00%
Total: LIBRARY SPECIAL REVENUE FUND - LIBRARY SPECIAL REVENUE		(674.35)	20,000.00		
Total:		(674.35)	20,000.00		

MEMORANDUM

To: Board of Trustees of the Indianola Public Library
From: Michele Patrick, Library Director
Date: October 12, 2021
Subject: Policy Review: Code of Conduct

Recommendation: The City's attorney reviewed the new Code of Conduct policy and recommended that the phrase "**wearing inappropriate or insufficient clothing**" be removed. Issues related to clothing could be evaluated under the "**any activity that unreasonably interferes with others' use and enjoyment of the library or with the functioning of library staff**" statement.

My recommendation is to approve the policy with the phrase "wearing inappropriate or insufficient clothing" removed.

Attachments: 1. 21.10.11 Draft Code of Conduct1

IPL Code of Conduct

The Indianola Public Library serves a diverse community and strives to do so with tolerance, fairness and respect. To provide a safe and comfortable environment for its users, the library asks patrons to observe the following standards of behavior:

1. Respect patrons and staff
2. Respect library property, equipment, and materials
3. Obey the law
4. Comply with requests from staff

When those expectations are not met, it may become necessary to respond to errant behavior and to mitigate disruptions by temporarily or indefinitely suspending the library privileges of a patron, which includes access to activities, services, or facilities of the Indianola Public library.

The length of suspension will be based on the severity of the offense, and while it is the library's goal to reinstate privileges as quickly as possible, library privileges will not be restored until library staff is confident that incidents will not recur.

The Code of Conduct applies to all and applies everywhere the library provides service. Parents, guardians, or designated caregivers are responsible for their child's personal safety and behavior at all times.

The following observable behaviors and activities are not allowed:

1. Any activity that unreasonably interferes with others' use and enjoyment of the library or with the functioning of library staff. Examples (including but not limited to):

- Creating unreasonable noise that interferes with others' use and enjoyment of the library
- ~~Wearing inappropriate or insufficient clothing~~
- Sleeping or exhibiting the appearance of sleep on library premises
- Use of profane or aggressive language and/or gestures and excessive displays of affection.
- Bodily hygiene or scent so strong as to constitute a nuisance to others.
- Picture taking or videotaping of people, except at library-sponsored events, unless authorized by the library director or designee or by the patrons involved (or their parents or guardians if minors)
- Soliciting, petitioning, or panhandling

2. Using library privileges, materials, equipment, fixtures, furniture, buildings or grounds in any manner other than intended. Examples (including but not limited to):

- Activities or behavior that may result in damage to library property or property of others.
- Use of restrooms for unintended purposes including bathing and laundering.
- Consuming food or beverages around library computers and equipment.
- Impeding passageways through physical presence or with personal property

3. Any observable behavior that is prohibited by law. Examples (including but not limited to):

- Stalking, harassing or intimidation of patrons or library staff, including but not limited to sexual harassment, and other verbal or physical conduct of a sexual nature.
- Theft, including removing library materials from the building without checking them out
- Indecent exposure
- The use tobacco products or electronic nicotine delivery systems on library premises or within 25 feet of library entrances.
- The consumption, possession, or being under the influence of illicit or intoxicating substances on library property. Alcohol is prohibited except for library-sponsored programs or Friends of the Indianola Public Library Foundation events.

4. Ignoring requests or disobeying the direction of a library staff member. Examples (including but not limited to):

- Failure to exit at closing or during an evacuation

Adopted 3/00; reviewed 1/03; reviewed 10/07; revised 2/12; revised 8/12; revised 3/17; revised 7/19

MEMORANDUM

To: Board of Trustees of the Indianola Public Library
From: Michele Patrick, Library Director
Date: October 12, 2021
Subject: Library Piano

Recommendation: Resident Paula Schultz has asked the Library Board to donate the library's baby grand piano to the Indianola High School's Music Department. The piano was donated to the library in 1986 by the Indianola Federated Music Club and a host of community businesses, organizations, and individuals. The IHS Music Department has not reached out to us.

My recommendation is to postpone this discussion until more information is known about a potential library expansion and what role a piano may play in a new building.

Attachments: None

MEMORANDUM

To: Board of Trustees of the Indianola Public Library
From: Michele Patrick, Library Director
Date: October 12, 2021
Subject: Policy Review: Genealogy Research

Recommendation: Increase the hourly research fee to \$14.00/hour. Traditionally, the research fee was set according to the starting wage of the library assistants who conduct this research. The current beginning wage for a library assistant is \$13.90/hour

Attachments: 1. Genealogy Research Policy

Genealogy Research Policy

The Indianola Public Library maintains a collection of local history and genealogy materials. These materials are available for use by the public on a walk-in basis.

Recognizing that many people interested in genealogy do not live in the area, library staff will provide limited research services for a fee. Research requests can be submitted by phone, mail, email at iplinfo@indianolaiowa.gov, or online through the library's website at www.indianolaiowa.gov/library.

- Research requests should be as specific as possible. For example, obituary search requests should include first, middle, and last names and month/date/year of death.
- You may submit up to five requests.

Payment for these services must be received prior to sending out information and may be made with cash, money order, or credit card.

- There is a research **fee of \$12**, regardless of whether the requested information is found. If the request takes more than an hour, there is **a fee of \$12** for each additional hour. There may be additional charges for photocopies and mailing.
- A time limit can be set by either the requestor or the library staff member.

Due to time constraints, the library may decline some research requests.

Adopted 02/04; Reviewed 10/07, 2/12; Revised 9/17

Director's Report

October 2021



Library Dinos

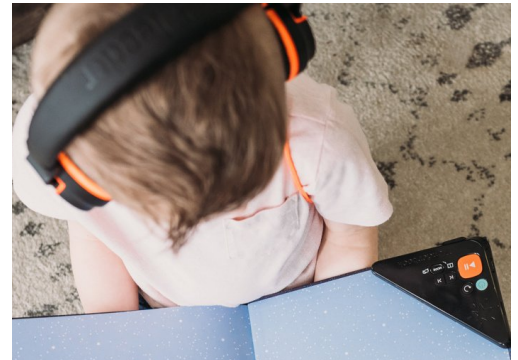
The Library Dinos made their third annual appearance in the Log Cabin Days Parade and were a big hit!

Special thanks to Jody Ross (for driving the float) and Jacy West, Kelsey Purdy, Elizabeth Moats, and Janis Comer for walking the parade route in those hot costumes.



Iowa Library Association Annual Conference

IPL librarians attended this year's Iowa Library Association's annual conference in Des Moines Oct. 7-8. Alison attended an additional day-long preconference course on youth mental health and received her Mental Health First Aid certification.



Wonderbooks

We have added picture book and easy reader read-along books for kids called Wonderbooks. We are starting with 30 and will add 15 each quarter.

Boiler Passes Inspection

After major repairs, the boiler passed its second inspection.

Building Assessment

We have contracted with The Formation Group to conduct a building assessment, which will include cost estimates for capital expenditures. The scope of review is attached.



Building Conditions Study – Indianola Library located at 207 North B St., Indianola, IA.

Inclusions (Scope of Review):

- Lots/Grounds
- Exterior Structure
- Exterior/Interior Electrical (thermal imaging on main components)
- Exterior/Interior Plumbing (thermal imaging on main components)
- Roof (thermal imaging)
- Water Heater(s)
- All HVAC/Chiller/Furnace/ systems
- All Interior Rooms
- Doors/Windows
- Cost estimating for 5-year end and 10-year capital expenditures based on findings
- Library Staff and Board meetings as necessary to facilitate the process

Does Not Include:

- Detailed Code Analysis (relating to potential renovation needs)
- Facility Energy Benchmarking
- HVAC Equipment test and Balance work
- Plumbing (Waste, Vent, Storm) – System scoping
- Domestic Water testing
- Selective Demolition
- Electrical testing or Arc Flash study
- Licensed Professional Engineer Structural Analysis

Study Timeline:

- Upon acceptance of this proposal the team will schedule a building tour on, or about, 9/28/2021.
- Compile the draft report and review with staff for follow-up two (2) weeks after building tour
- Final report delivered to the Library three (3) weeks after notice to proceed with a presentation to Library Board (to be scheduled).

Circulation FY22



Print	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
Adults	3,384	2,779	3,301	11,007	7,872	10,546
Teens	272	357	415	1,525	1,000	2,296
Children	3,245	2,878	4,300	11,023	8,168	14,713
TOTAL	6,901	6,014	8,016	23,555	17,040	27,555

Entertainment	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
Movies & TV	1,413	857	1,082	3,789	2,708	3,578
Music CDs	71	28	3	353	127	27
Magazines	178	170	187	538	473	553
Audiobooks	314	133	154	1,058	406	481
Games & Puzzles	100	96	256	200	304	917
Library of Things	0	0	35	0	0	101
TOTAL	2,076	1,284	1,717	5,938	4,018	5,657

Digital	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
Ebooks	1,031	1,277	1,486	3,163	4,073	4,458
Eaudiobooks	755	856	989	2,306	2,723	3,026
Digital Magazines	28	39	73	44	125	139
Streaming Videos	1	1	0	2	2	0
TOTAL	1,815	2,173	2,548	5,515	6,923	7,623

	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
TOTAL	10,792	9,471	12,281	35,008	27,981	40,835

Library Programs



Attendance	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
Adult Programs	76	9	33	309	48	86
Adult - passive	0	0	30	0	0	116
Teen Programs	29	0	63	88	0	85
Teen - passive	0	0	28	0	0	126
Children's Programs	651	0	630	1715	0	1171
Children - passive	0	0	336	0	0	2188
Library Meetings	15	17	17	38	41	42
Total In- Person Attendance	771	26	743	2150	89	1384
Total Passive	0	0	394	0	0	0

Program Numbers	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
Adult Programs	15	1	7	21	7	37
Teen Programs	4	0	9	12	0	16
Children's Programs	39	0	36	57	2	49
Total # of Programs	58	1	52	90	9	102

Library Services



User Statistics	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
New Library Cards	74	45	75	257	95	255
Door Count	6,035	3,692	5,303	21,488	10,604	17,617
In-house Browsing	435	0	443	1,335	0	1,944
At Home Deliveries	NA	NA	4	NA	NA	14
At Home Items Delivered	NA	NA	71	NA	NA	323
Curbside Deliveries	0	122	20	0	567	74
ILL Requests	15	11	18	47	40	50

Computer Usage	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
Public Computers	500	114	219	1,660	380	731
WiFi Sessions	NA	NA	358	NA	12,153	713
WiFi Unique Users	57	NA	133	NA	NA	301
Mobile App Launches	NA	664	880	NA	2354	2,845
Mobile App Page Views	NA	736	980	NA	2617	3,285

Public Meeting Room	Sept 2019	Sept 2020	Sept 2021	YTD-FY20	YTD-FY21	YTD-FY22
# of Meetings	8	0	16	19	0	28
Meeting Attendance	78	0	54	203	0	83



MEMORANDUM

To: Board of Trustees of the Indianola Public Library
From:
Date: October 12, 2021
Subject: Building Report - Steering Committee Update

Recommendation:

Attachments: None