

HAZEL PARK MEMORIAL LIBRARY
123 EAST NINE MILE ROAD
HAZEL PARK, MICHIGAN 48030

LIBRARY BOARD MEETING
MONDAY, JANUARY 28, 2013, 6:30 P.M.
THE MONROE ROOM

CALL TO ORDER:

The Regular Meeting of the Hazel Park Memorial (HPML) Board of Directors was called to order at 6:37 P.M. by Sandra Pond. All members of the Board were in attendance.

BOARD OF DIRECTORS PRESENT:

Sandra Pond, President
Bob Peterson, Vice President
Linda Zeiss, Secretary
Ed Bullock
Michael Pyciak
Irene Zagar
Corrine Stocker, Interim Library Director

IN THE AUDIENCE: Jan Drumm, Shelley O'Brien, Linda Sims, Chas Hayes, Barbara White and Andrea Pennington.

CONVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS ON AGENDA ITEMS: N/A

ADDITIONS TO AND APPROVAL OF THE AGENDA:

Zeiss added the appointment of Ms. Stocker as permanent Director to the agenda. Bullock added a letter from Lance Werner to the agenda. Zeiss made a motion to approve the agenda. The motion was approved, 6-0.

APPROVAL OF MINUTES:

Bullock motioned to approve the minutes of the December 17, 2012 meeting. Zeiss supported the motion. The motion was approved, 6-0.

DIRECTOR'S REPORT:

NOTE: A COMPLETE NARRATIVE OF THE DIRECTOR'S REPORT IS ATTACHED.

The Director placed the following monthly documents in each Board member's packet:

THE MONTHLY BUDGET REPORT, FOR DECEMBER, 2012
CIRCULATION REPORT FOR DECEMBER, 2012
JANUARY INVOICES
DECEMBER 2012 PROGRAM STATISTICS
REVENUE AND EXPENDITURE REPORT FOR 11/30/2012

Zeiss motioned to "receive and file" the Director's Report. Bullock supported the motion. The motion carried, 6-0.

NEW BUSINESS:

1. Financial Report for FY 2011-2012. Ms. Stocker reported that the auditor was not available to attend the meeting this month but would attempt to attend the February meeting.

2. Library Board Meeting Dates for 2013. Pond motioned to pass the dates. The motion passed unanimously, 6-0.

3. Letter from Lance Werner. Bullock stated that he spoke with Werner about selecting a Library Director. Werner is currently with the Kent District Library and was previously with the State of Michigan Library and then the Lansing area library. He read Werner's letter (see attached). Bullock went on to state, "Back when we selected Jessica as our Library Director, I contacted him at the same time and he gave me basically the same advice as he has in this letter—that we should do the widest search that we can for a new Library Director—no matter how good we think our candidate is here at home. It gives the person who is the Library Director here some idea what these other people have available to them, which they might add to Hazel Park. And I know I shared my thoughts with Irene prior to the meeting and she spoke to support my position. At that time, we only had a five member Library Board. When it came up at that time to do the search, it was a 3-2 vote, and Irene and I were on the wrong side of the issue—but that's fine—that's the way things happen in a public body. I brought up this same issue again and I believe Michael has talked about it and I think Irene has commented on it. We all believe no matter how much we like the person that we have in-house here, that we should do an area-wide search. We are not spending our own money. We are spending the money of the taxpayers of the City of Hazel Park." Zagar added, "I personally didn't know anything about it being posted internally here and I'm on the Board. The Board is the one that hires—not an individual. That concerns me."

Pyciak stated, "the problem is the fact that the Board is not being given full information. Certain members of the Board are being given detailed information. Other members of the board are not being given any information at all. I really think we need to work together as a Board and be informed as a Board and receive all of the information together, as opposed to having one or two Board members actually get to the point of negotiating a compensation package for Ms. Stocker as a new Director without consulting anyone else on the Board. Pond replied, "She's Interim, she's not a new Director. But if you'd like to make her a new Director, you could do that." Pyciak responded, "You stated during

the meeting, when I brought up the salary, that it had already been discussed. I know three people, including myself, on the Board that it's never been brought up to. And since we do have a fiduciary responsibility for this library, we really need to know what's being spent. Because in the budgets that we've received in the past (I've not had the opportunity to go through this one) it does not break down personnel budgets according to position." Pond replied "Well I can tell you it's less than what the former Director was making. It's within our budget." Pyciak asked, "as members of the Board, shouldn't we all be privy to that?" Bullock stated "we've never approved payment of her salary right now." Jan Drumm stated "the Board appoints a Director. The Board takes into account compensation. I'd also like to rectify what Ed said. Werner's letter did not say the widest search. It did say the most thorough search. The thing is that a thorough search does not necessarily mean posting, it doesn't necessarily mean posting. Thorough means you will look at the qualifications of what you have. If you do not have qualifications, then by all means you post it and go outside. Thorough means you look at what you have first. You have to look at everything; you don't just go by whim."

Bullock responded "I think we did that, because I made the motion that we retain the young lady as our Interim Library Director and I believe Irene seconded the motion. Drumm asked "Did anyone interview anybody here, including the young lady?" Pond responded, "We did hold an interview for this lady here, but there were people on our Board who chose not to participate." Pyciak stated that "there were no other candidates that were chosen." Pond stated "we had an opportunity to interview her fairly, and there were members of the Board who chose not to do so." Zagar pointed out that the Michigan Library Association would post a job for free for one week. Pond responded, "we have someone who's qualified sitting right here beside us." Pyciak stated, "the decision is made by the Board, not by you alone, Sandy." Pond responded, "I know it's not." Pyciak stated, "we need to function as a Board." Drumm said, "I don't know what the vote would be, but you're not going to get anyplace with this dissent. May I suggest that you all sit down and interview what you have here and decide whether or not you feel it's necessary to post, because that's something that you're not prohibited from doing and it's not something that you're required to do. But thorough means you start with what you have and see whether or not that meets your needs. And you all should be doing it, because you appoint the Director. And you all fix the compensation."

Bullock stated, "As I've said before, I think we need to be doing an area-wide search." Pond responded, "that's a matter of opinion, just like this is a matter of opinion." Drumm stated, "thorough means looking at what you have too and finding out whether or not what you have is even qualified before you go out." Stocker stated "Michael Pyciak keeps insisting that legally, the job has to be posted, otherwise we're leaving the library open to litigation. The reason that the job needs to be posted is to mitigate litigation, to quote him. Is that true?" Drumm responded, "I'm looking at the statute that you're under with this library, but there are different statutes which pertain to different types of libraries. I know he came from a library, I don't know what type of library he came from. Maybe he was speaking from experience from under which they are incorporated. Under which you are incorporated, no—that's not true. But you've got to understand that you all have different backgrounds that you are bringing to this Board of which you express an opinion. I was asked to give a legal opinion as to what you're required to do and that's all I'm expressing. "

A member of the audience--Barbara Winter—then spoke. She stated, "I contacted the Department of Education as well and I got the same answer. What they say is that it is strictly a local matter. The Hazel Park Memorial Library's locally elected Board has the decision of hiring. It's not under the authority of the Library of Michigan. The Board would be wise to make sure that the person they're hiring meets the

staffing certification requirements for the Directorship of a public library for its class. You all know that our library is a class IV because of the population. The Michigan Department of Education says it's completely up to the Board--there's no other legal or other obligation. Whatever your decision will be, you only need to look at Corrine's qualifications and she meets all of the qualifications. There's no other procedure or obligation of any kind to underline your decision or how you are going to hire a new director."

Another member of the audience—Shelley O'Brien—then spoke. "I'm Shelley O'Brien and I'd like to speak as both a resident and as someone who works for the City of Hazel Park. In terms of finding a qualified candidate and your sharing responsibilities, it would be wasteful to spend money on a search when you have a qualified candidate. Jessica was a very good librarian. She took this library places that I really did not think she could. And she did it with very little money and quite honestly—with very little cooperation from the powers that be. She was an amazing librarian who brought life back to this library and she trained Corrine. And I know that she is intending to carry on in that spirit. She is constantly coming to staff meetings, she contributes, she asks for help, she offers suggestions, and she works with the City of Hazel Park very, very well — just like Jessica did. And those are the kinds of things that will help move this community forward as times get harder. So you can interview other people, but you're not going to know who trained them. You're not going to know where they learned. You're not going to know if they are telling you the truth. You may just have someone who can interview very well but may not care about the community that they are working for. I have seen woman dedicate her time—her free time, not time she's being paid for—I've seen her dedicate herself to this library and making it a better place. And I think that in terms of being responsible to the taxpayers of Hazel Park, you will only be meeting your obligations if you hire her as your permanent Director. If you go on this wide search because you think you need to, you will not be meeting your obligations to us." Bullock objected to her statement that the Board did not support Jessica. She responded "it's all of the bickering that goes on during your Board meetings. It's really hard when you guys are all fighting amongst each other because of personal matters. That is what I am referring to. What you have done individually or whatever you've done is fine, but Jessica was the one riding the library and bringing it to where it is. I was not cutting down the Board. I'm saying you have a competent person here."

Bullock stated, "I'm of the mindset that we should be doing an area-wide library director search. I'm firmly convinced that I know who that person is going to be, but until we've done that, I don't think we've done right by the people that reside in Hazel Park: tax payers, residents, patrons—whatever you'd like to call them. I just don't think we're doing the right thing. Pyciak stated, "I would not feel comfortable making a vote yes or no given the fact that the three members of the Board deal with Corrine and they do not disseminate any information to Ed or Irene or myself." Bullock stated, "I talked to a number of people that use the library regularly. There wasn't one person that had any question that Corrine would make a good Library Director, or I would not have nominated her as the Interim Library Director. Why some people took it upon themselves to post this thing internally without consulting all of the Library Board, I have no idea. Why certain people chose to negotiate a contract—there is not contract. So how can they negotiate? How is she being paid? What basis is she being paid? Is she being paid under her former salary? Is it the same salary she had before?" Stocker publicly stated that her salary as \$41,000. Linda Simms, present in the audience, pointed out that Stocker's salary is just \$0.30 more per hour than she makes as the Children's Librarian. Stocker then pointed out that the average salary of a Class IV library director in south-east Oakland county is \$65,000. Pyciak pointed out that as a member of the library profession, he does not want to see under-valued employees and as a member of the community, he wants to maintain good employees. "Likewise, I want to make sure that

the compensation package is fair. The problem is that we have not been provided with any of that information. In order to make good judgment, we need the information." Pond stated that we should add it to the next agenda and the Board can decide what the fair wages are.

Drumm stated that compensation should have been set by the Board as a whole, and it is not Stocker's fault. She added that the compensation package should be ratified to include what Stocker made before, to ensure that it is legal. Bullock stated that it needs to be retro-active, back to when she started the position. Drumm added that Stocker has been put in the middle of the Board, which she should not ever be—and that she should work with the Board as a whole. She added that the Board needs to work together. She added that someone should call the question at this point. Bullock stated that he would abstain from voting. He added, "it takes four votes and unless there are four votes we are going to go nowhere." Peterson said that the Board and the audience should understand that until this matter is settled, who is going to be making decisions in the library? What three people are trying to set up—whether they realize it or not—is to put us in a situation where we can wind up selecting someone else who then is going to come in and upset the staff. And Mr. Bullock has seen this happen one other time and that was a total disaster. It took us a matter of years to get it straightened out."

Winter stated that Bullock's area-wide search is based upon the fact that he was not notified and informed about Stocker's salary. Pyciak said that wasn't the only basis—that he couldn't vote yes or no right now because he was not given the same information as all of the Board members. He would like to see a fully-functioning Board participating in a Democratic fashion and best practices handled. Bullock stated that it's very clear that certain people feel that not all of the Board needs to be fully informed of what's going on in the library. Pond stated that some people want to micro-manage, and that's not the Board's responsibility. Drumm pointed out that dwelling on history is not doing anybody any good. Peterson called the question of appointing Stocker as the permanent Director. Zeiss made a motion to call the question and the motion was supported by Peterson. Pyciak asked how the vote would be counted if members abstained from voting. Drumm stated that someone cannot abstain unless they have a reason to abstain and then they have to move to abstain and the Board has to vote on it. A roll-call vote was taken: Zeiss=yes, Peterson=yes, Pond=yes, Bullock-present, Zagar=no and Pyciak=no. There were questions about whether Bullock's present vote constituted a negative vote and Drumm responded that it does not count as a vote. Pond stated that the motion passed by a 3-2 vote and Bullock then attempted to change his vote and was told that it was too late. After consulting the Library Board's current Bylaws, Drumm spoke. She stated, "There's good and bad news. The good news is that the bylaws say that a quorum is four members of the Board. 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. Whether or not Mr. Bullock abstaining means that you've got a majority, I am very proficient at Robert's Rules of Order. I have taken them to court and won court cases. I cannot tell you off the top of my head whether or not this motion has passed. I will research it and I will get back with all of you."

OLD BUSINESS:

1. Changing location of Board Meetings to City Hall. Library staff member Chas Hayes discussed the ease and practicality of videotaping meetings at City Hall because of the equipment available. Peterson discussed his reservations about holding the meetings at City Hall because he does not want to impose on the City and feels as though the library should make every possible effort to stand alone, so as to not

(Library Board's Minutes of 1/28/13)

impose on the city. Bullock made a motion that the Board moves their meeting locations to the City Hall City Council Chambers beginning with the February 2013 meeting. The motion was seconded by Zagar. A roll-call vote was taken: Zeiss-no, Peterson-no, Pond-yes, Bullock-yes, Zagar-yes and Pyciak-yes. The motion passed by a 4-2 vote.

COMMITTEE REPORTS: None

PLANNING: None

PUBLIC COMMENTS: None

BOARD MEMBERS' AND DIRECTOR'S COMMENTS:

Michael Pyciak:

I would like to thank Chas for his advice on what is the most efficient way, in terms of time, as to whether we should have meetings here or in City Council Chambers. Quite frankly, I don't really care whether we have them here or at City Hall. I'd probably have a more comfortable chair there, which would be nice. But I'm all about going with an internal recommendation from someone who's going above and beyond to make sure that, hopefully, these will reach people with access at some point. Thank you.

Irene Zagar:

I would like to thank Jan for coming to our meeting. She's so informative.

Ed Bullock:

I am very pleased with the Friends group and some of their activities you mentioned a few minutes ago; it's good to see that they are functioning properly. And I'd like to thank everybody coming here tonight. I know that some of you are paid staff but some of you are not, but I do appreciate the fact that you came here tonight. And Jan I especially appreciate. Thank you.

Bob Peterson:

Mr. Pyciak keeps talking about how we should refrain from bringing personalities into this. Unfortunately, it has reached that point. But that's where we're at, and that's what we're going to have to live with. Basically, we have got a 3-3 split and I really don't think it's going to go away very quickly. I think that a couple of people need to think long and hard about whether they want to keep on down that path. Thank you.

(Library Board's Minutes of 1/28/13)

Linda Zeiss:

I also would like to thank Jan and Shelley for coming tonight, and the audience.

Corrine Stocker:

I would like to thank everyone for taking the time to come tonight, especially Jan. I am hoping that the Board finds a way to constructively work through this stalemate. I think that we all need to keep the best interests of the library as our top priority and I just want resolution with this.

Sandy Pond:

I too would like to thank everyone for coming and thank you Jan—I appreciate your input. No matter the situation here, we've got to get through it and persevere and move forward and start doing the right things, because we're beating a dead horse here and we can't keep doing that. With that, everybody have a good evening.

ADJOURNMENT:

Zagar motioned adjournment at 7:38 P.M. Bullock supported the motion. The motion carried 6-0.