

**STILLWATER PUBLIC LIBRARY
BOARD OF TRUSTEES MEETING
September 13, 2016
Minutes**

PRESENT: Bell, Hansen, Keliher, Menikheim, Richie, Stark

ABSENT: Carlsen, Otte

STAFF: Bertalmio, Goeltl

AGENDA ITEM 1: Call to Order

Meeting called to order at 7:00 pm by Keliher, President

AGENDA ITEM 2: Adoption of Agenda

Agenda adopted. MSP.

AGENDA ITEM 3: In-Person Public Commentary

None.

AGENDA ITEM 4: Consent Calendar

Consent calendar adopted. MSP.

AGENDA ITEM 5: Event Operations

A committee of Board members has met with neighbors several times to try to ease the effects of events at the library. The library has made efforts to implement a number of suggestions from the neighbors. On September 8, 2016, the library received a letter from a neighbor with additional mitigation suggestions. This letter along with a document titled "A brief statistical look at events in 2015" was included in the September board packet.

Five neighbors of the Stillwater Public Library Neighbor attended the board meeting. They reviewed the concerns and suggestions outlined in an amended version of the September 8, 2016 letter (included as an attachment to minutes).

The board asked the President and Library Director to meet with the Event Manager to discuss the options presented by the neighbors and present recommendations to the board in October.

The neighbors also raised the issue of a special use permit. Menikheim will approach the Council to see if a special use permit is required for the library to hold events.

AGENDA ITEM 6: Strategic Plan Update & Assessment

Board discussed the library's progress on the Strategic Plan as presented in the Implementation Plan, Strategic Plan Assessment, and Dashboard documents in the September board packet.

On the Assessment document, the Board suggested the following:

- Goal 2 – Strategy 2: Maximize human resources: Add more quantifiable information such as number of conferences attended, dollars allocated to training, etc.

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- Goal 3, Strategy 2: Increase public awareness of Library services: The assessment discusses the purchase of Civic Technologies by WCL. Board requested additional information be provided about this product.

AGENDA ITEM 7: Building Reconfiguration: Construction & Teen Library

Library has a signed contract with Gardner Construction. Bertalmio met with Gardner on September 12, 2016 to determine schedule and sequencing of project.

The board discussed using the Lawson Short Term Fund to redo the teen library, which will be affected by the reconfiguration of the service desk. MSR has proposed a fee not to exceed \$4,000 to perform the teen room redesign and furniture selection.

Motion made to approve \$4,000 design fee for the teen area. MSP.

AGENDA ITEM 8: 2017 Budget

The Council adopted a levy on September 6, 2016 that provides the library with no increased support for the operating budget. This levy requires the library to reduce its proposed operating budget by \$56,729. The Director asked for ideas and guidance from the board on how to approach this sizeable reduction. The Director and Finance Committee will then present a menu of options at the October meeting.

Board discussed the Council meeting and the challenges presented by a flat budget. Board asked Bertalmio to draft budget reduction options for board review in October. Board asked Keliher to draft a response letter to the City Council regarding the levy, the WCL meeting, and next steps.

Director Bertalmio and City Administrator McCarty will meet with Washington County Administrator Molly O'Rourke and WCL Director Keith Ryskoski on September 15, 2016 to discuss relationship between WCL and SPL.

AGENDA ITEM 9: Board Vacancy

Applications for the vacancy on the Library Board of Trustees are due on September 26, 2016. Board members Doug Menikheim, Maureen Bell and Kathy Stark will interview applicants.

AGENDA ITEM 10: Set Aside \$4,604 of Fund Balance for Class/Comp Study Fee

The City hired a firm to complete a classification and compensation plan. The library's portion of the cost to conduct the study and plan is \$4,604. The Finance Committee discussed this expenditure with City Administrator McCarty who advised that the expenditure could be handled as a payment from the fund balance and that the Board should formally vote to set these funds aside.

Motion made to set aside \$4,604 of the library's fund balance to pay the library's portion of the classification and compensation plan. MSP.

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AGENDA ITEM 11: Council Communication Plan

Board discussed City Council Messaging Plan 2016-2017 included in the board packet.

Menikheim suggested that under Key Concepts, item 1 to change the use of the word “comparable” as the Library Board and City Council are not comparable bodies.

Board discussed the distinction between individual board member opinions and the voice of the board. Board also discussed the role of the Director versus the role of the Board in communications with the Council. Stark requested that the job description of the director be consulted when updating the communication plan.

Board also requested that the library is formally placed on the agenda of a city council meeting each month or quarter. A board member and director would attend and briefly update the Council on the library.

This is a discussion item. No formal procedures were agreed upon or adopted. Keliher, Menikheim, and Bertalmio will revise Communication Plan for October board meeting.

AGENDA ITEM 12: Director and Other Staff Reports

Board reviewed Director’s Report included in the September Board Packet.

AGENDA ITEM 13: Foundation Report

Richie reported on the Foundation and directed the board to the Foundation Minutes included in the September board packet. Richie highlighted the upcoming Foundation events: a donor appreciation event on October 6 featuring board member Craig Hansen, Style Speaks Volumes III on Monday, November 14 and Tuesday, November 15, and Destination Library, 10th Anniversary Event, on Friday, Sept 22, 2017.

AGENDA ITEM 14: Board Committee Assignments and Reports

- a) **Executive Committee:** None
- b) **Facilities:** None
- c) **Finance:** The Finance Committee reported on revenue and cost numbers for events as provided in an email from President Keliher on August 25, 2016 to the mayor and City Council members. Email is included as an attachment to the minutes.
- d) **Governance and Policy:** None
- e) **Human Resources:** None
- f) **Succession Planning Task Force:** Key library staff are working on transition plans.

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- g) **WCL/SPL Relationship Task Force:** Meeting with WCL is scheduled for Thursday, September 15, 2016.

AGENDA ITEM 15: Public Commentary and Communications

Stark asked that SPL contact patrons to let them know before service procedures change. For example, patrons no longer receive notification of holds by phone. Only those with email addresses on file are notified. This is a recent change that left many in the dark.

AGENDA ITEM 16: Adjournment

Adjourned at 9:56 pm.

September 8, 2016

Board of Trustees
Stillwater Public Library
224 Third Street North
Stillwater, Minnesota 55082

Re: Events held at the library

I would like to formally submit this feedback and these suggestions to the Board of Trustees of the Stillwater Public Library. My goal is for the library to adjust some of its current policies regarding the events held at the library. I am hoping that we can find compromises that will allow the library to continue to generate funds with events, but also further reduce some of the intrusions on the lives of those neighbors most affected by these events.

I acknowledge and appreciate that there has been a good faith effort this year in trying to accommodate our requests and minimize the problems. I was very happy to see the loading zone signs go up on the north side of the building, the yellow curb along the fire lane, and that someone is now stationed on the loading ramp while caterers are unloading for the events. However, there are items that were brought up in a previous meeting with some of the board members that have not been addressed.

The first item is that the signs directly across from the loading ramp do not address, specifically, loading and unloading in the fire lane. I understand that the board followed the suggestion of the fire department with these signs, but as we knew as neighbors, without specifically addressing the idea of **LOADING** and **UNLOADING**, drivers often ignore the no parking signs with the rationalization that they will only be there for a short time. That short time is very subjective, with some thinking that twenty to thirty minutes is a short time.

Another request made by the neighbors was that some of the vendors be required to load in and out in the parking ramp to help minimize the noise and parking congestion on and near the loading ramp. Although I understand that some of the vendor vehicles will not fit in the parking ramp, I fail to understand why those that do fit are not required to load in and out in the parking ramp. Moving some of the vendor vehicles to that door would help with some of the parking and loading problems on the north side of the building.

The next topic I would like to address is the City's Code of Ordinances, specifically section 31-325, wherein the city has outlined what are and are not allowable uses in each zoning district. As you know, the library is zoned as Public Administration, and the following are three uses in this zoning that are NOT allowed in the Code of Ordinances. Those uses are as follows:

- Outside entertainment, commercial (8)
- Outside sales or special events (8)
- Exterior phonographs, paging systems, musical instruments, etc. that may disturb the peace and quiet of the public.

Footnote (8) reads as follows: These uses may be approved directly by the city council if the event is a one-time special event not occurring on a regular basis.

I am in possession of the email, dated May 10, 2016, from Dave Magnuson to Doug Menikheim regarding these points. This email is added to the Board of Trustees meeting packet for June.

Mr Magnuson summarized the "talking points" as follows:

- 1) The library is a permitted use.
- 2) The events are secondary to the function of the library.
- 3) As a secondary use, the Council approved the bonding for the construction of the library addition with a terrace for event rental.
- 4) No outside music is allowed after 10 PM unless the event requests a variance and the Council holds a public hearing to approve it.

Although it is true that the City Council approved the bonding for the construction of the library addition, and that those plans included the terrace for event rental, there is no notation about an amplification of sound that disturb the peace and quiet of the public, even though that is noted as a use that is not allowed in the zoning codes. Although one could infer that events would have the amplification of sound, it is not stated specifically, just as Mr Magnuson points out that "regular basis" is not defined specifically.

I think anyone can rationalize that 30-40+ events in a six-month period should be considered as a "regular basis", just as most can rationalize that events of this nature will most likely have an amplification of sound. By that logic, you can or cannot assume one without the other.

On point #2, that events are a secondary use to the function of the library, I would like to point out that it is true that rented events can be considered a secondary use for this library now, it should also be pointed out that most libraries do not also operate as an outdoor event center to generate funds, so this should have been considered a new use, which would not qualify as a permissible use without a Special Use Permit. I would point to the Historic Courthouse, also zoned Public Administration, which does hold a Special Use Permit dating back to the 1980s, for its events.

*Previously read: "...that 40-50 events in a six-month period..."

The Stillwater Public Library, although considered a gathering place for the general public, has not been granted a Special Use Permit or a Variance for the new use, which began in 2007, as an outdoor event center for the purpose of generating rental income. Although a comment at a city council meeting and approval of building plans are occasionally used as justification for a new use, when a use specifically violates a zoning code, it is usually required that it is only allowed to do so by way of a Special Use Permit from the city council.

I point all of this out because there is a case to be made that for the last ten seasons the library has been violating the City Code of Ordinances. This violation has undoubtedly* caused problems and changed the lives of some neighboring residents.

I have spent hundreds of hours researching and documenting, and over a thousand dollars in sound proofing, legal fees and other misc. expenses all in an effort to squelch the noise and put an end to the problems caused by the library events. I have been advised that there are a** few different civil options, but this would be expensive, both for the library and for myself. I strongly believe that sitting down with the Board of Trustees to try and find a compromise is the best approach at this time.

Although I would like to see the events come to an end entirely, I do not think this is a fair or equitable resolution for anyone. I do not want to stop those funds from helping maintain the services our public library provides for our community, but I do not believe that our neighborhood should pay such a high price for the library to serve the entire community. I am also very aware that the city council is not in favor of increasing the city's portion of the library's budget, leaving the library searching for ways to generate funds. Therefore, I submit the following items I would like to see implemented or changed and I welcome a discussion about these ideas:

1. **LIMIT THE NUMBER OF WEDDING RECEPTIONS TO ONE EACH CALANDAR MONTH.** The number of vendors and how those vendors park, the alcohol, and a wedding party and guests who often act very entitled having paid their rental fees, all seem to cause the most problems. I see a very distinct difference in how people act when it is just a ceremony vs when they are settled in for an eight to twelve-hour event.

I would like to see no more than ONE wedding reception or similar party-style event that allows the consumption of alcohol AND is scheduled past 10 PM each month. Ideally this could be set up to be scheduled the same day (Friday or Saturday only) every month. For example; the second Saturday of every month. This way the neighbors will always know, without having to check several emails, and we can plan accordingly.

I realize this could limit the number of wedding bookings, as some couples are adamant in wanting to have the ceremony and reception at the same location. However, as you are aware, there are more bookings for ceremony only events than there are for a combination of the ceremony and reception. I think that given time the number of ceremony only weddings and other types of events that are slowly starting to be booked will fill the financial gap that will be left by cutting the wedding receptions from three to six per month to one per month.

* Previously read: "This violation has undoubtable caused problems..."

** Previously read: "I have been advised that there are few different civil options..."

2. **LIMIT THE HOURS OF SUNDAY THRU THURSDAY EVENTS TO 9 AM to 9 PM.** Given that the library has nearly a dozen residential neighbors within fifty to one hundred feet, unlike the Historic Courthouse, I don't think this is an unreasonable request for weeknights to include Sundays.
3. **LIMIT THE HOURS OF ALL OTHER FRIDAY AND SATURDAY EVENTS (excluding the one reception with the option to go until midnight and the Light a Spark event) TO 9AM to 10 PM.**
4. **ANNUAL LIGHT A SPARK FOURTH OF JULY EVENT.** Provided the same care is taken every year, in relation to the neighbors, as it was this year, I have no objection to the event continuing in its current form and would NOT consider this to be the one monthly event as outlined in #1.
5. **AUCTIONEER, HORNS AND OTHER BOUNCING SOUNDS.** There are few sounds that seem to bounce and amplify differently in the neighborhood. Lakeview's annual fundraiser with an auctioneer, and horn instruments seem to be two of those sounds. Although the auction was shorter this year and Anne did try to squelch the sound some, it was still more than a minor annoyance. I would like to see this auction handled without amplification. Last weekend we had an issue with a band but Anne was able to quickly adjust that volume to an acceptable level. I would like to see this response every time, instead of being told it's not too loud. Early in this summer's event season I was told, at about 9:45 PM, by the officer working a wedding reception; "I don't think it's that loud". This was his personal opinion, but he even acknowledged that he wouldn't want to live here when I pointed to my bedroom window. This should not be at each officer's discretion. If the neighbors were complaining about volume during every event, I could understand some push-back but that it not the case. I don't know that there have been more than a handful of volume complaints this entire season.
6. **VENDOR VEHICLES THAT FIT IN THE PARKING RAMP SHOULD BE REQUIRED TO LOAD IN AND OUT IN THE PARKING RAMP.** This will help reduce the noise and congestion around the loading ramp.
7. **FIRE LANE.** Although it will be a great benefit to have someone sit on the loading ramp while vendors are unloading, our biggest problem seems to be with the tent people. They are often unloading well in advance of an event and often loading back up a day or two later. I address how this could be handled in #8. If we continue to have a person on the loading ramp and start fining these vendors, I don't think additional signage to specifically address un/loading is necessary.
8. **FINES FOR VENDORS IF VEHICLE IS PHOTOGRAPHED IN THE FIRE LANE WITHOUT A DRIVER AT THE WHEEL.** I believe this explains itself. I would think that the vendor contract could be amended to add a clause stating that \$50 will be deducted from payment if a vehicle is parked illegally. Or, if the library is not paying the vendor, deduct \$50 from the renter's deposit and they can withhold it from payment to the vendor.

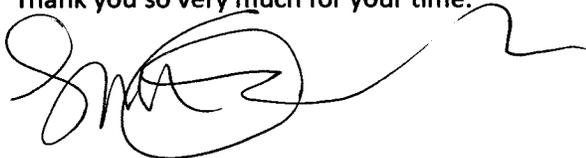
9. **EVENTS TO BE LIMITED TO THE FOOTPRINT OF THE BUILDING.** As explained in a previous email to Mike, during a wedding event in June, part of the festivities included the amplification of music and dancing in Mulberry Street (also our driveway). This went on for about twenty minutes and unfortunately I picked that time to come home from work. I was blocked out and stuck sitting in my car in the middle of Mulberry. Amending the policy and/or contract to keep all activities (other than pictures) within the footprint of the building should stop this from happening again.

I did have one more request and that was to stop all events on Sundays, but I realized this was probably too big of an ask. When the library is closed on Sundays it is wonderful not having cars constantly turning around in our driveway and people mulling about. I know that does not sound very neighborly but the traffic and number of people has increased drastically since the library expanded and the walking path was introduced next to our property. I understand that this is simply a growing pain and there is nothing that can be done about it, but if event renters could be gently persuaded to pick a different day of the week, or even if Sunday events could be concluded by early afternoon, it would be greatly appreciated.

I would like to stress that these thoughts and suggestions are my own. Although some neighbors may agree with all of the requests, others may agree with only some or none. Those neighbors living closest to the library, who I know have had issues with the events, have been given a copy of this letter and have been notified that they are free to attend the meeting on September 13 with their own feedback and ideas.

I greatly look forward to discussing these items with you all, and I hope you find these compromises to be workable solutions.

Thank you so very much for your time.

A handwritten signature in black ink, appearing to read 'Suzi Quaderer', with a long, sweeping flourish extending to the right.

Suzi Quaderer
qqsuziqq@msn.com

From: Mike Keliher [<mailto:mjkeliher@gmail.com>]
Sent: Thursday, August 25, 2016 9:23 PM
To: Ted Kozlowski <tkozlowski@ci.stillwater.mn.us>; Doug Menikheim <dmenikheim@ci.stillwater.mn.us>; David Junker <djunker@ci.stillwater.mn.us>; Tom Weidner <tweidner@ci.stillwater.mn.us>; Mike Polehna <mpolehna@ci.stillwater.mn.us>
Cc: Tom McCarty <tmccarty@ci.stillwater.mn.us>; Lynne Bertalmio <lynneseb@ci.stillwater.mn.us>; Matt Richie <matt.mary.richie@gmail.com>; Kathy Stark <kistark@hotmail.com>
Subject: Stillwater Public Library event revenue

Mayor and city council members,

Following up on recent conversations about events and event revenue at the library, the library board's finance committee and library staff have compiled the following data. Please let us know if you have any questions about this information.

In 2015, the library hosted 36 events: 3 private/non-profit, 1 corporate, 19 ceremony-only weddings and 13 weddings with ceremony and reception. Please note that these numbers include *events* only, which the library classifies separately from *meetings* -- simpler, smaller gatherings that just require a basic reservation for a meeting room. **Those 36 events yielded \$60,446 in income for the library.** In the course of hosting those events, the library's operating budget incurred \$3,123 worth of event setup costs.

This \$60k in event revenue is made possible in large part by support from the Stillwater Public Library Foundation, which pays for:

- a \$24,000 contract for an event coordinator
- \$2,025 in event advertising costs (such as promoting the library in wedding-venue listings and other similarly targeted outlets)
- \$513 in temp help costs

Crunch those numbers and you could reach the conclusion that the library had a net revenue of \$30,785 for events in 2015. I'd offer a simple caution that his conclusion isn't completely accurate, in that the \$60k truly is the library's unrestricted event-related income, and the foundation could indeed choose to put that \$24k toward some specific purpose other than an event coordinator. In short: If events were to change substantially (or cease altogether) at the library, it's that \$60k we'd need to replace, not a mere \$30k. (And further, one of the foundation's largest annual sources of revenue -- Light A Spark each July 4th! -- is an event on the library's terrace.)

I hope this information makes sense and is helpful to you. Thanks for your time, and again, please let us know if you have questions!

mjk

Mike Keliher
651-324-0213
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