

Bylaws of Addison Public Library

Article I - Establishment

The Addison Public Library is established and conducted as a village library in accordance with the Local Library Act, which is codified in 75 ILCS, and the Open Meetings Act. The Library is established for the use and benefit of its eligible users, exercising the powers and authority and assuming the responsibilities delegated to it under the said statute. The Library is financed primarily by property taxes levied by the Village of Addison and collected by DuPage County on taxable property within the Village, pursuant to statutes. Unless indicated to the contrary, where reference is made to state statutes, these bylaws merely repeat the requirements of the statute for reference, and it is the intent of this Board that any future amendments to state statutes are incorporated herein by present reference to such statutes. All statutory references are to 75 ILCS unless indicated to the contrary.

Article II - Board of Trustees

Section 1: Definition of the Board

The Board of Trustees is comprised of seven qualified individuals residing within the Village limits of Addison.

Section 2: Qualifications to Be a Trustee

An individual must be at least 18 years of age, a United States citizen, a registered voter, and a resident of Addison for one year.

Section 3: Candidacy for Elections

Once qualifications are established, residents may become candidates for open positions by petition, signed by the minimum number of legal voters prescribed by law (to conform to state statutes) residing in the Village and filed with the Village Clerk within the time prescribed by the general election law.

Section 4: Elections

As provided by statute, elections of Trustees shall take place in accordance with the general election law.

Section 5: Oath of Office

The Trustees shall take their oath of office as prescribed in Illinois law.

Section 6: Term of Office

The regular term of office of a Trustee shall be six years.

Section 7: Vacancies

Vacancies shall be declared in the office of Trustee by the Board in conformance with 75 ILCS 5/4-4. Appointments shall be decided by a majority vote of the Board. These appointments shall be effective until the end of the term or such earlier date at which an election to fill the unexpired term would be required under the Consolidated Election Laws of the State of Illinois.

The Board may request the resignation of any member who fails to attend three consecutive meetings or is absent six times in a calendar year. Vacancies shall be declared in the office of Trustee by the Board when the elected or appointed Trustee declines or is unable to serve, or is convicted of a misdemeanor for failing, neglecting, or refusing to discharge any duty imposed upon a Trustee by the Local Library Act, or becomes a nonresident of the Village of Addison, or who fails to pay the library taxes levied by the corporate authorities.

Section 8: Compensation and Expenses

As provided by statute, Trustees shall serve without compensation but shall be reimbursed from Library funds for their actual and necessary expenses incurred in the performance of their duties.

Section 9: Ethics Statement

All Board members are required to file the Statement of Economic Interest as required by 5 ILCS 420/4A et. seq.

Section 10: Duties and Responsibilities

Each Trustee shall carry out the spirit and intent of the Illinois Local Library Act in establishing, supporting, and maintaining the Addison Public Library as a provider of library service and, in addition to but without limiting other powers conferred by 75 ILCS 5/4-7, shall have the following powers:

- (a) To make and adopt such bylaws, rules, and regulations for its own guidance and for the government of the library as may be expedient, not inconsistent with this Act;
- (b) To have the exclusive control of the expenditure of all moneys collected for the library and deposited to the credit of the library fund;

- (c) To have the exclusive control of the construction of any library building and of the supervision, care, and custody of the grounds, rooms, or buildings constructed, leased, or set apart for that purpose;
- (d) To purchase or lease real or personal property, and to construct an appropriate building for the use of a library;
- (e) To remodel or reconstruct a building erected or purchased by the board when such building is not adapted to its purposes or needs;
- (f) To sell or otherwise dispose of any real or personal property that it deems no longer necessary or useful for library purposes;
- (g) To appoint and to fix the compensation of a qualified librarian, who shall have the authority to hire such other employees as may be necessary;
- (h) To contract with any public or private corporation or entity for the purpose of providing or receiving library service or of performing any and all other acts necessary and proper to carry out the responsibilities, the spirit, and the provisions of this Act;
- (i) To exclude from the use of the library any person who willfully violates the rules prescribed by the board;
- (j) To extend the privileges and use of the library, including the borrowing of materials on an individual basis by persons residing outside the incorporated village;
- (k) To invest funds;
- (l) To accumulate and set apart as reserve funds portions of the unexpended balances of the proceeds received annually from taxes or other sources;
- (m) To establish and review at least biennially a written policy for the selection of library materials and the use of library materials and facilities.

In carrying out its duties, the Board shall always act as a whole, no individual member or committee having power to act except as specifically granted by the Board.

Article III - Officers

Section 1: Officers

The officers shall be the President, Vice-President, Secretary, and Treasurer. Each office shall be held by a different Trustee.

Section 2: Duties of Officers

The duties of the officers of the Board are as provided by 75 ILCS 16/30-45:

- (a) The President shall preside over all meetings, appoint members of committees authorized by the Board, and perform other duties specified by library's regulations, ordinances, or other appropriate action. The President shall not have or exercise veto powers.
- (b) In the President's absence, the Vice President shall preside at meetings, and shall have such other duties and responsibilities as the Board may determine.
- (c) The Secretary has the responsibility to see that adequate minutes of meetings of the Board are taken and maintained as a public record. The Secretary signs minutes of meetings after their approval by the Library Board. The Secretary also certifies documents on behalf of the Board, including levy requests, grant applications and annual reports.
- (d) The Treasurer has the responsibility to see that accounts and records of the Library are kept and maintained; indicating in those accounts and records a record of all receipts, disbursements, and balances in any funds. The Treasurer shall, at every Board meeting, present an account of the status of the treasury at the date of such accounting and the balance of money in the treasury. The Treasurer shall be chairman of the Finance Committee. In accordance with Illinois law, the Treasurer will be bonded or insured.

Section 3: Election of Board Officers

Officers of the Board shall be nominated and elected according to normal parliamentary procedures at the May meeting of the Board to serve until the election at the May meeting of the following year. If there are more than one candidate, there shall be a written ballot; otherwise, election shall be by voice vote.

Section 4: Vacancies

Should an office of the Board become vacant prior to the May meeting, the Board shall, at the first regular meeting held after such vacancy occurs, elect a Trustee to fill the unexpired term.

Section 5: Absence of Officers

Should both the President and Vice President be absent from a duly constituted regular or special meeting at which a quorum is present, the attending Trustees shall choose from among their number a temporary presiding officer who shall be designated chair pro tem. Should the Secretary be absent from any meeting, the presiding officer shall appoint from among the Trustees present a secretary pro tem, who shall perform the duties of Secretary during the meeting. Should the Treasurer be absent from any meeting, the Trustees present shall appoint a treasurer pro tem to perform the duties of office.

Section 6: Eligibility

All members of the Board shall be eligible to be officers of the Board.

Article IV - Meetings

Section 1: Open Meetings

The Secretary shall give public notice of the schedule of regular meetings at the beginning of each fiscal year and shall state the regular dates, times, and places of such meetings as required by the Illinois Open Meetings Act (5ILCS 120/1 through 120/6). An agenda for each regular meeting shall be posted at least 48 hours in advance of such meeting. Executive sessions or closed meetings shall conform to the requirements of the Open Meetings Act. The Board of Trustees is authorized but is not required to hold a closed meeting to consider the following subjects:

- (a) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Addison Public Library, including hearing testimony on a complaint lodged against an employee to determine its validity;
- (b) Collective negotiating matters between the Addison Public Library and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.
- (c) The selection of a person to fill a public office as defined in the Open Meetings Act, including a vacancy or the discipline, performance, or removal of the occupant of a public office;
- (d) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined by the Act, provided that the library prepares and makes available for public inspection a written decision setting forth its determinative reasoning.
- (e) The purchase or lease of real property for the use of the library, including meetings held for the purpose of discussing whether a particular parcel should be acquired;
- (f) The setting of a price for sale or lease of property owned by the library;

- (g) The sale or purchase of securities, investments, or investment contracts;
- (h) Emergency security procedures and the use of personnel and equipment to respond to actual danger to the safety of employees or public property provided that a description of the actual danger shall be made a part of the motion to close the meeting;
- (i) Litigation, when an action against, affecting , or on behalf of the library has been filed and is pending before a court or administrative tribunal, or when the library finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting;
- (j) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice, or communication from or with respect to any insurer of the library or any intergovernmental risk management association or self insurance pool of which the library is a member.
- (k) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by the library with criminal investigatory responsibilities.
- (l) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence;
- (m) Self evaluation, practices, and procedures or professional ethics, when meeting with a representative of a statewide association of which the library is a member.
- (n) Discussion of minutes of meetings lawfully closed under the Act, whether for purposes of approval by the Trustees of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Section 2: Regular Meetings

Regular meetings shall be held once per calendar month in the Addison Public Library or elsewhere as the Board may decide. The day and time of the meetings shall be established at the annual meeting.

Section 3: Special Meetings

Special meetings may be held at any time at the call of the President or upon written request of any three Board members, provided that notice thereof is given in compliance with the Open Meetings Act of the State of Illinois. Public notice of any special meeting except a meeting held in the event of a bona fide emergency, or of any rescheduled regular meeting, or of any reconvened meeting, shall be given at least 48 hours before such meeting, which notice shall also include the agenda for the meeting.

Section 4: Annual Meeting

The annual meeting shall be held in May, at which time the Library depository and related signatories shall be designated.

Section 5: Closed Meetings

Attendance at executive sessions of the Board shall be limited to the Board of Trustees and others specially invited by the President with the concurrence of the Board to attend for specific reasons.

The Board of Trustees may hold a meeting closed to the public or close a portion of a meeting to the public upon a majority vote of a quorum present, taken at a meeting open to the public for which notice has been given as required by the Open Meetings Act. The vote of each member on the question of holding a meeting closed to the public and a citation to the specific exception contained in Section 2 of the Act which authorizes the closing of the meeting to the public shall be publicly disclosed at the time of the vote and shall be recorded and entered into the minutes of the meeting (5 ILCS 120/1 through 120/6). No final vote may be taken in a closed session.

Section 6: Quorum

As provided by statute, a quorum shall consist of a majority of Trustees.

Section 7: Voting

A motion is not before the Board until it has been seconded. A motion may be withdrawn by the proposer at any time before a vote is called. An amendment to modify an original motion shall be in order, but no amendment shall be made that changes the intent of the original motion. The President or other presiding officer shall be permitted to vote. A simple majority of votes from members present who vote "aye" or "nay" shall be necessary to carry a motion, unless otherwise provided by statute or bylaw. A roll call vote shall be required on resolutions, on any matter creating a liability or expenditure, or upon request of any Trustee. If a Trustee has a conflict of interest, that Trustee shall not participate in the deliberation of nor vote on the matter. The minutes of the meeting shall reflect that a disclosure was made and the abstention from voting.

Section 8: Order of Business

The order of business for regular meetings shall include, but not be limited to, those items specified by state statute and any other items determined by the Board from time to time in the order determined by the Board.

Section 9: Suspension of Rules

Any rule or resolution of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension shall be taken only at a meeting at which two-thirds of the

members of the Board shall be present and two-thirds of those present shall so approve. Statutory requirements may not be suspended.

Article V - Committees

Section 1: Executive Committee

The Executive Committee shall consist of the officers of the Addison Public Library Board. This committee shall meet as necessary to prepare issues to be presented to the full Board and/or to make emergency decisions on behalf of the Board when it is not possible to assemble a quorum of the Board. This committee shall have no power other than emergency action or other powers that full Addison Public Library Board may delegate to it from time to time.

Section 2: Standing Committees

For all standing committees, the Library Board of Trustees shall function as a committee of the whole. The standing committees shall be as follows:

- Finance
- Policies and Planning
- Personnel

Section 3: Special Committees

Special committees may be constituted for specific purposes as the business of the Board may require from time to time.

Section 4: Appointment

The President of the Board shall appoint the chair of each committee and the members of each special committee. Standing committees chairs shall be appointed no later than the regular meeting following the annual meeting of each fiscal year. Vacancies on the committees shall be appointed also by the President. Each committee member shall have one vote.

Section 5: Powers

No committee shall have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.

Article VI - Records of the Board

Section 1: Custody and Access

All records and accounts of the Library and of the Board shall be kept in the Library Administration office in the custody of the Library Director. All such records and accounts shall be open to the inspection and use of all of the members of the Board at all reasonable times. Such records shall include the financial reports, the minutes of all meetings, and all other pertinent written matter as affect the operation of the Library. The minutes of the Board shall be available to the public during normal business hours, and records and accounts shall, in all circumstances, be subject to the Illinois Freedom of Information Act.

Section 2: Audits

Financial records shall be audited by a CPA under the direction of the Director. An audit shall be conducted each fiscal year.

Article VII - Director

Section 1: Duties and Responsibilities

The Director shall be considered the executive officer of the Board and shall have the sole charge of the administration of the Library under the direction and review of the Board. The Director shall be responsible for the care of the building and equipment; for the employment, direction, removal of staff members; for recommendations to the Board of such policies and procedures as, in the opinion of the Director, will promote the efficiency of the Library in its service to the people of the community; and for the submission to this Board of a monthly and annual report. The Director is responsible for the financial operation of the Library within the limitations of the budgeted appropriation. The Director may be authorized to sign checks and vouchers.

Article VIII - Parliamentary Authority

Section 1: Conduct of Meetings

The rules contained in the current edition of *Robert's Rules of Order* shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with the bylaws of the Board or the Local Library Act.

Section 2: Parliamentarian

The President may appoint a member to act as Parliamentarian.

Article IX - Amendments

Section 1: Procedure

The bylaws may be amended by a vote of five members of the Board, provided the amendment is proposed at any regular meeting of the Board of Trustees and adopted at the next succeeding regular meeting.

Article X - Bylaws Adoption

Section 1: Adoption

These bylaws shall be in full force and effective upon their adoption, and all prior bylaws are hereby repealed.