

July 2, 1971

Minutes of the special meeting of the Board of Directors of the Skokie Public Library held July 2, 1971, at 1:00 p.m. in the Library.

Members present: Howard Hummer, Mrs. Diana Hunter, Mrs. Selma Petty, John Wozniak and Rabbi Karl Weiner, Miss Mary Radmacher, Chief Librarian.

Rabbi Weiner presided and explained the meeting was held for the specific purpose of informing the Board of the informal, off the record, proposal made by the Village and checking on the legality of it. The proposal is that the Library purchase the two parking lots southeast of the Library on Galitz Street. These are now owned by the Village and being used by our contractor. The Village wants to purchase two lots east of that property in order to expand the parking facilities of the Village. Before considering the merits in terms of the Library, the first step, after meeting with the Mayor, is to determine if it is legally possible for this to be done. Rabbi Weiner then referred to the Board's counsel, Mr. Robert Di Leonardi for the answer.

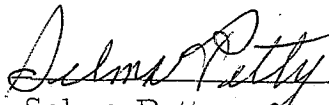
Mr. Di Leonardi said this question comes up often in bond situations where there is an excess of funds in the construction account after all bills are paid. This question came up last March in the remodeling of the existing building. He then read from his letter of March 8 and stated if these acquisitions of parking lots were not part of the plans and specifications in the construction program submitted to the voters or a part of the package approved by the voters, the answer is "no," no matter how worthwhile it could be. He quoted from his letter as follows, "It is estimated there will be an excess in the construction account. The Board has asked my opinion as to whether this may be used to pay the cost of the existing building over and above that specifically approved. Basically, where any surplus of funds exist this must be transferred to the bond and interest account and used to abate interest accruing for one or more years or the amount is held in reserve and used to abate such interest in later years." He pointed out the mechanics are for the Village Board to pass a resolution and declare a copy will be held by the Village Clerk. He also pointed out it is possible to invite a tax-

payers suit for use of the funds other than specified, that is if the extra work is  
 totally unrelated. It is clear the surplus should not be so used <sup>but</sup> ~~by~~ transferred  
 to the bond ~~issue~~ <sup>and interest</sup> account. If it is part of the improvements on the original plan  
 that is different. It is a question as to what extent can the Village and this Board  
 exceed the authority given by the voters. If you come out with \$50,000 extra, that  
 would not be any concern, but a substantial excess not put in the <sup>bond and</sup> ~~the~~ interest account,  
 but used for something that is an afterthought, this would be hard to justify. It  
 is sort of a mandate - the voters are giving a mandate to build that building. The  
~~more unrelated you get, the more obvious it becomes you are going outside the~~  
 limits of that mandate. He advised the Library Board not to acquiesce. Mr. Di  
 Leonardi referred to the precedent set in the Peoria Public Library case.

Question was asked if the money spent on the old building can be justified.  
 He answered that the extra work on the present building can be justified because of  
 the relationship of the two buildings. The question was also asked if the Library  
 can keep the interest that is made on the money from the bond issue. The answer  
 was that this does not have to be turned back to the taxpayers.

The opinion was stated that it is conceivable the Village Board could go  
 ahead and purchase the property for the Library because the bonds are theirs,  
 but Mr. Di Leonardi said there would be a mechanical problem because of the  
 co-signed checks.

The Board accepted Mr. Di Leonardi's opinion and will act accordingly.  
 Rabbi Weiner adjourned the meeting at 1:35 p. m.

  
 Selma Petty <sup>Sec.</sup> Secretary