

January 11, 1978

Minutes of the regular meeting of the Board of Directors of the Skokie Public Library held January 11, 1978, at 7:30 p.m., at the Library.

Members present: Walter Flintrup, Richard Lindberg, Shirley Merritt, Karl Weiner and John Wozniak; also Mary Radmacher, Chief Librarian.

Also present: Robert J. Di Leonardi, Counsel for the Library and Patrick Williams from the Graduate School of Library Science at Rosary College.

Meeting was called to order at 7:40 p.m. by President Weiner with a quorum present.

Rabbi Weiner took note of the death of Mrs. Ethel Griffin, one of the forces instrumental in the founding of the Skokie Public Library. She was President of the Board for many years and then stepped down to become a member of the Board of Directors.

A copy of a Tribute to Ethel M. Griffin, written by Rabbi Karl Weiner, President of the Board of Directors of the Skokie Public Library, and delivered verbally at the funeral services, was given to each Board member.

Rabbi Weiner recommended putting the regular order of the agenda aside at this point to hear from Mr. Robert J. Di Leonardi, Counsel for the Board, on the matter of how to enforce some regulation about theft and destruction of library materials.

Mr. Di Leonardi referred to the Ordinance passed by the Village of Skokie which he distributed to the Board members which covered the whole subject of terror, destruction of property and imposing penalties to offenders and holding parents or guardians criminally responsible for failure to prevent commission of such acts. Property as designated would be real estate or anything tangible but the ordinance does not mention library materials. It is Mr. Di Leonardi's view this ordinance could be amended specifically to cover library materials in the case of damage and failure to return materials to the Library. Mr. Di Leonardi

suggested a new paragraph D, under Section 1 and a third paragraph to Section 2-A - copy hereto. In his opinion the ordinance should be so amended to include these provisions.

In addition to having the Village ordinance, the Librarian should be authorized to summarily refute the use of this Library and any library in the System, or any library materials, defining library materials in the same way as in the ordinance, and the right to refuse continued access to the Library. This would permit Miss Radmacher to revoke their privileges until all is restored. As a prior step, Mr. Di Leonardi prepared a letter of warning to go to the patron which has a space for listing of materials, what the fine is to date, calling attention to the right to revoke privileges and seek a fine under the ordinance. Time is given to accrue the fine or suffer the consequences. The Board, specifically by statute, has a right to adopt such a regulation and to authorize the Librarian to revoke the privileges of anyone who breaks the rules.

Mr. Di Leonardi suggested, if his recommendation met with the Board's approval, contact Mr. Harvey Schwartz for his approval so when the ordinance comes up for final consideration before the Village Board, it would be as Skokie Public Library Board of Directors want it.

Mr. Lindberg asked if they addressed themselves to the problem of the delinquency and possibility of a class action being brought. Mr. Di Leonardi said could bring one complaint against persons who are related to the incident but cannot bring any action against the class. The class could bring the action. If you had a group responsible for an identifiable group of library materials checked out on the same day, then it could be done.

Dr. Wozniak asked what kind of evidence must the Library have for the Chief Librarian to revoke privileges? Answer, must have proof by observation that the book as checked out was perfect and when returned had damage to it. Miss Radmacher said it has never been possible to do this because the material

could have been destroyed when on the shelves. Mr. Di Leonardi said the judge would have to make certain inferences. Question was asked whether Miss Radmacher would have the right to say elimination of this Library and all others? Mr. Di Leonardi replied that if Skokie exercises the right to revoke the patron's use of Skokie Public Library, it would notify other libraries of this action and, as a consequence of his being expelled here, would deny use of those libraries. Because it has been Skokie's policy that the person who is in charge of Circulation Department has the right to revoke a patron's card, Mr. Di Leonardi said a change could be made in the regulation to include the Head of Circulation Department. Mr. Lindberg made the following motion:

Motion: That the Skokie Public Library adopt the proposed regulation as presented to the Board by its Counsel and adopt the form letter of warning suggested by Counsel; and recommend to the Board of Trustees of the Village of Skokie revision of the existing ordinance 77-6-Q-1017.

The motion was seconded by Dr. Wozniak and voting was as follows: Richard Lindberg, yes; Shirley Merritt, yes; Walter Flintrup, yes; and John Wozniak, yes. Motion carried.

Rabbi Weiner asked Mr. Di Leonardi to respond about a question that has come up in connection with the copyright situation. As of the first of the year the Federal Government's new copyright law went into effect. Skokie Public Library has followed the recommended statement to appear at the copying machines. Also, the Skokie Public has been sending to Central Serials Services requests for photocopied articles. Central Serials Service has largely a microfilm collection of periodicals. Now, as of the beginning of the year, each library is permitted to photocopy up to six articles from the same title for the past five years within a calendar year. Rabbi Weiner said the question is, this law has been passed without penalties - is there any condition under which penalty could be inflicted? Mr. Di Leonardi said the mere fact that there is no monetary penalty simply means it is not criminal.

It is a violation of private right or the person violates the public law. He thinks it is one of those laws impossible to enforce.

Suggestion was made to ask Central Serials Service for the magazine, not a photocopy. If it comes as a print-out, that has been Central Serials' decision. Mr. Flintrup's opinion is the Library is not making the request, the person is. The Library is in business to accommodate the patron. Mr. Di Leonardi will look into the law.

Mrs. Merritt asked Mr. Di Leonardi's opinion whether it was legal to make it mandatory for all employees to take the CPR course being paid for by the Library. Mr. Di Leonardi questioned the right of the Library to spend money on the project but also the act of making it mandatory. With the Village facilities being so close it would be best to teach employees the fastest way to get the Paramedics Squad or Inhalation Crew to the Library. If Library employees perform CPR on Library time and do it incorrectly there could be trouble. This is outside the scope of Library services and Mr. Di Leonardi would not recommend the Library pursue the program.

Mr. Di Leonardi retired from the meeting at 8:40 p. m.

Miss Jane Burke, representative for Computer Library Systems, Inc. was introduced to give a presentation of this system. This company markets a computer used primarily for circulation controls. Slides were used to show the mini computer system. Miss Burke mentioned Skokie Public Library could buy a system of its own or become part of what is hoped to be the expanded North Suburban Library System cluster. Expansion of the cluster would be one consideration for the Skokie Public Library. With this choice and six terminals, its share would be \$98,000. If Skokie chooses to have a system of its own, it would cost approximately \$147,000. If Skokie becomes part of the cluster, there will be additional phone line costs. A committee at NSLS is producing a list of advantages and disadvantages for having your own computer or for joining a cluster.

The computer can be lease-purchased over five or eight years with a 5 o/o

interest charge through North Suburban Library System or 11 o/o if CLSI does the financing. The cost includes equipment only but not labor costs. Mr. Flintrup asked because of the size of this Library if it would be wiser to have its own computer? Miss Burke's personal opinion was, "yes" but the cooperative aspect is one to weigh very carefully.

The question was asked of how many jobs would be lost by installing the system. Miss Burke said this does occur but in time the staff stabilizes.

Miss Burke retired from the meeting at 9:50 p. m.

Mrs. Merritt asked for a correction in the minutes of the December 12, 1977 meeting which listed her as present and she was absent.

Another correction was requested by Mrs. Merritt on page 4 of the December, 14 minutes, second motion listed. Her vote was against, not for the motion. On page 11, Mrs. Merritt asked to have the last sentence in the first paragraph (line 3 and 4) stricken.

Minutes of the December 12 and December 14, 1977 meetings were approved as amended on motion by Dr. Wozniak, seconded by Mr. Flintrup. Motion carried.

Motion by Mr. Flintrup, seconded by Mr. Lindberg which, on roll call vote, carried unanimously.

Motion: At the next scheduled meeting of the Board of Directors of the Skokie Public Library, when the full Board is in attendance, to reconsider the motion made by Mrs. Hunter relative to the CPR Course, in its monetary aspects for Skokie Public Library employees and because of Mr. Di Leonardi's statement this evening.

The following motion was made by Mr. Lindberg, seconded by Dr. Wozniak which, on roll call vote, carried unanimously.

Motion: That the financial statements for the General Operating Fund, Reserve Fund for the Purchase of Sites and Buildings, and the Library Construction Fund be accepted, subject to audit, and the lists of bills for the General Operating Fund in the amounts of \$11,891.47 and \$20,332.39 be approved for payment.

Circulation Reports for the month of December, 1977 were examined and

ordered to be placed on file.

Personnel was discussed by Miss Radmacher.

Mr. Flintrup inquired about having a representative from the Library attend the next Village Board meeting to request the additions to Ordinance 77-6-Q-1017, as suggested by Mr. Di Leonardi and adopted by the Skokie Public Library Board. Mr. Lindberg will discuss the proposed changes with Mr. Harvey Schwartz and attend the Village meeting.

A request was received from Mr. Robert McClarren of the North Suburban Library System that copies of the minutes of the Skokie Public Library Board of Directors meetings be sent to him. After discussion, the consensus of this Board was to refuse the request.

Miss Radmacher, reporting on insurance coverage said Boyle, Flagg & Seaman have placed all insurance, including the bookmobile. All the rates are not known at this time but the Library is fully covered.

Regarding Unemployment Insurance to which non-profit organizations must now contribute, there are two options open to this Library. One is to pay one percent of every individual salary up to \$6,000 or, two, the reimbursable method whereby the employer reimburses the State for whatever claims are paid. Miss Radmacher contacted Mr. William Hibner, Finance Director of the Village of Skokie, and the municipality has elected to use the reimbursement plan. The Federal Government will pay fifty percent of all claims for the first year and the State twenty-five percent. The second year the full responsibility rests with the employer. If the contribution plan is selected, the employer is tied into this for two years. It is possible to change over in either case, but if contribution method is used, a change cannot be made for two years. By adopting the reimbursement method there would be an opportunity to make a change after one year. An answer must be made by January 30. Mr. Hibner thinks large or small libraries would

be much better off to take reimbursement package. Mr. Flintrup made the following motion which was seconded by Mr. Lindberg and, on roll call vote, carried unanimously.

Motion: That the Skokie Public Library accept the reimbursable method for handling the Unemployment Insurance.

There was no discussion in regard to lending "The Speaker" at this meeting.

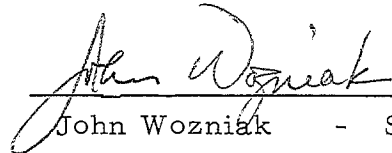
Members received copies of the following: Public notice regarding Lincolnwood Library, letter sent to Mrs. Paul B. Grant, "1978 Feature Film Series," "Oracle Poetry Readings," January Calendar of Events, list of exhibits, 8 copies of press releases, Selected List of Recent Acquisitions, December 1977, and booklist, "The New Woman; Health in Mind and Body."

An invitation was extended to the Skokie Public Library by the Board of Trustees of the Gail Borden Public Library District to attend an Open House February 5, 1978 from 2:30 to 4:30 p. m.

ALA Mid-Winter Conference will be held in Chicago, January 20-28, 1978.

A special meeting was called for January 30, 1978, at 7:30 p. m. to discuss the concept of security and whether or not to purchase a security system.

Meeting was adjourned at 10:20 p. m.

  
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John Wozniak - Secretary

1 AN ORDINANCE PROHIBITING ACTS OF VANDALISM AGAINST  
2 PROPERTY AND IMPOSING CERTAIN PENALTIES THEREFOR.

3 THIS ORDINANCE MAY  
4 BE CITED AS

5 V. O. #11-6-Q-1917

6 WHEREAS, the Village of Skokie is a Home Rule unit under the provisions  
7 of Section 6, Article VII of the Constitution of the State of Illinois, 1970; and

8 WHEREAS, as such a unit it has the power to regulate for the protection  
9 of public health, safety, morals and welfare; and

10 WHEREAS, the President and Board of Trustees of the Village of Skokie,  
11 after hearings duly held, has made the following findings:

- 12
- 13 1. The public health, safety, morals and welfare of the Village  
14 of Skokie require the enactment of an ordinance with respect  
15 to acts of vandalism resulting in damage to real and personal  
16 property within the Village.
  - 17 2. It is in the best interests of the Village that such an ordinance  
18 contain provisions for the prosecution of and imposition of  
19 penalties related to the nature of the act and the type of offender,  
20 and requires parents or legal guardians of minors who allow such  
21 acts to be committed by such minors to be held criminally responsible  
22 for failure to prevent commission of such acts.
  - 23 3. The imposition of such criminal responsibility will tend to  
24 increase parental supervision of minors and reduce the incidence  
25 of juvenile vandalism and will advance the welfare of all of the  
26 residents, businessmen and visitors in the Village of Skokie.

27 NOW, THEREFORE, BE IT ORDAINED:

28 Section 1: Definitions.

29 For the purposes of this Ordinance, the following definitions shall

30 apply:

- 31 (A) "Person" shall include any individual, firm, partnership, association,  
32 corporation, company or organization of any kind, the State of  
33 Illinois, or any political subdivision.
- 34 (B) "Property" shall include any real estate including improvements  
35 thereon, and tangible personalty.
- 36 (C) "Legal guardian" shall include a person appointed guardian, or given  
37 custody, of a minor by a Circuit Court of this State, but does not



1 include a person appointed guardian, or given custody of a minor  
2 under the Illinois Juvenile Court Act.

3 (D) "Minor" shall be a person who has attained 17 years of age but who  
4 has not yet reached 18 years of age.

5 Section 2: Offences.

6 (A) Within the Village of Skokie no person shall:

- 7 (1) Knowingly or recklessly damage or cause to be damaged any  
8 property of another person without his consent; or  
9 (2) Knowingly and without authority enter into or obtain control  
10 over any motor vehicle, bicycle, aircraft or water craft or  
11 any part thereof of another person without his consent.

12 (B) It shall be unlawful for any parent or guardian of any minor living  
13 with its parents or guardian to neglect to restrain such minor  
14 from committing any act prohibited by subsection (A) of this  
15 section. The commission of any act prohibited by Subsection (A) of this  
16 section by a minor who is living with his parents or guardian shall  
17 raise the presumption that the parent or guardian has neglected to  
18 restrain such minor from committing such act. It shall be an  
19 affirmative defense for the parent or guardian to prove that  
20 such parent or guardian exercised his duty to restrain the minor  
21 from committing the act prohibited by Subsection (A) of this section  
22 complained of in the pending action, but that such action on the part  
23 of the parent or guardian to attempt to restrain said minor, although  
24 exercised with due care, was unsuccessful.

25 Section 3: Penalty.

26 (A) Every person or minor found guilty of an offense under Subsection (A)  
27 of Section 2 shall be subject to either or both of the following penalties:

- 28 (1) A fine not in excess of \$1,000.00;  
29 (2) (a) The Court may, without entering a judgment of guilty,  
30 place such person under Court supervision for any period  
31 not exceeding one year. Such supervision may include any of  
32 the conditions provided for in Section (b) below as the  
33 court determines appropriate. If the person completes  
34 the period of supervision without violating the conditions

2 imposed by the Court, the Court shall discharge the  
3 defendant from supervision and dismiss the charge against  
4 him. If the person, while under court supervision, is  
5 convicted of any criminal offense in any jurisdiction and  
6 the State's Attorney or municipal prosecutor, as the case  
7 may be, moves for termination of supervision, the Court  
8 shall terminate the supervision and enter a judgment of guilt  
9 on the plea or finding.

10 (b) The conditions of court supervision may, in addition, require  
11 that the defendant:

12 (i) Work or pursue a course of study or vocational training

13 (ii) Make restitution or reparation in an amount not to  
14 exceed actual loss or damage to property and pecuniary  
15 loss or \$1,000 whichever is less;

16 (iii) Undergo medical or psychiatric treatment, or treat-  
17 ment for drug addiction or alcoholism; and

18 (iv) If a minor, to reside with his parent or in a foster home  
19 attend school; attend a non-residential program for  
20 youth, or contribute to his own support at home or  
21 in a foster home.

22 (c) When a court orders restitution or reparation as a condition  
23 for court supervision, the court shall determine the amount  
24 and conditions of payment. When the conditions of payment  
25 have not been satisfied, the court, at any time prior to  
26 the expiration of termination of the period of court  
27 supervision may impose an additional period of not more  
28 than two (2) years. Only the conditions of payment shall  
29 continue to apply during such additional period. The  
30 court shall retain all of the incidents of the original  
31 sentence, including the authority to modify or enlarge  
32 the original conditions and to revoke the penalty of court  
33 supervision if the conditions of payment are violated during  
such additional period.

- (d) When the petition is filed charging a violation of a condition imposed for court supervision, the court:
- (i) May order a summons to the offender to appear; or order a warrant for the offender's arrest where there is danger of his fleeing the jurisdiction or causing serious harm to others or when the offender fails to answer a summons. The issuance of such warrant or summons shall stay the sentence of court supervision until the final determination of the charge, and the term of court supervision shall not run so long as the offender has not answered the summons or warrant.
  - (ii) Shall conduct a hearing of the alleged violation. The court may admit the offender to bail pending the hearing.
  - (iii) Shall receive evidence in open court with the right of confrontation, cross-examination and representation by counsel. The Village has the burden of going forward with the evidence and proving the violation by the preponderance of the evidence.
  - (iv) Shall not revoke court supervision for failure to comply with conditions of a sentence which imposes financial obligations upon the offender unless such failure is due to his willful refusal to pay.
  - (v) May modify the conditions of court supervision on motion of the Village or on its own motion or at the request of the offender after notice to all parties and a hearing.
- (e) If the court finds that the offender has violated a condition at any time prior to the expiration or termination of the period, it may continue the offender on the existing

1 period, with or without modifying or enlarging the  
2 conditions, or may impose any other penalty that was  
3 available at the time of the initial penalty.

4 (f) A judgment revoking a sentence of court supervision is a  
5 final appealable order.

6 (B) Every person found guilty of an offense under Subsection (B) of  
7 Section 2 shall pay a fine not in excess of \$1,000.00.

8 Section 4: Liability of Parent or Legal Guardian of Minor Offender.

9 The parent or legal guardian of a minor defendant who resides with such  
10 parent or legal guardian shall be liable for any fine or condition of restitution  
11 or reparation imposed by a court upon a minor for violation of this Ordinance,  
12 provided that the minor has not paid said fine or made restitution or reparation  
13 within the time ordered by the court, and further provided that said parent or  
14 legal guardian has been served with summons or notice to appear in the original  
15 cause against such minor and all proceedings thereafter.

16 Section 5: Severability.

17 If any provision of this Ordinance or application thereof to any  
18 person or circumstance shall be held invalid, such invalidity shall not affect other  
19 provisions or applications of this Ordinance which can be given effect without the  
20 invalid provision or application and to this end, the provisions of this Ordinance  
21 are declared to be severable.

22 Section 6: Effective date.

23 This Ordinance shall be in full force and effect upon its passage  
24 and publication in accordance with law.

25 ADOPTED this 27 day of June, 1977.

Ayes 7  
Nays 0  
Absent 0

Village Clerk

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 1977.

\_\_\_\_\_  
President, Village of Skokie

Attested and filed in my office this \_\_\_\_\_ day of \_\_\_\_\_, 1977; and published as provided by law this \_\_\_\_\_ day of \_\_\_\_\_, 1977.

\_\_\_\_\_  
Village Clerk

ORDINANCE 77-6-Q-1017

Add to Section 1 a new (D):

(D) "Library materials" shall mean books, periodicals, films, art objects, art reproductions, audio tapes or any other thing, equipment or property (or part thereof) whatsoever owned by or in the custody of the Skokie Public Library.

Current (D) to be re-designated (E).

Add to Section 2(A)

(3) Wrongfully remove, possess, damage, destroy or fail to return any library materials when due.

## SKOKIE PUBLIC LIBRARY REGULATION

The Chief Librarian is hereby authorized to summarily revoke or fail to renew any and all privileges of any person at the Skokie Public Library who wrongfully removes, possesses, damages, destroys or fails to return to the Library (or its affiliates in the North Suburban Library System) any library material. No notice of such revocation or non-renewal need be given prior thereto. As used herein, "library material" shall include any and all books, periodicals, films, art objects, art reproductions, audio tapes and any other thing, equipment or property (or part thereof) owned by or in the custody of the Skokie Public Library. As used herein, "privileges" shall include the license to enter upon or remain upon Library property. The revocation and/or non-renewal of privileges under this regulation shall be in addition to any and all other remedies available to the Library, whether civil, quasi-criminal or criminal.

FORM LETTER OF WARNING

Dear Patron:

Our records indicate that you have failed to return the following library materials belonging to the Skokie Public Library when due:

In addition to the fine of \$\_\_\_\_\_ which is due at this time (and which continues to accrue at the rate of \_\_\_\_\_ per day that such failure continues), your attention is directed to the fact that I, as Chief Librarian, am empowered to summarily revoke all your library privileges by reason of such failure, all without further notice to you. Such revocation would not only eliminate your right to use the Skokie Public Library, but all others within the North Suburban Library System unless and until your privileges were reinstated. Further, Ordinance 77-6-Q-1017, as amended, of the Village of Skokie, subjects you to prosecution and fine up to \$1,000 for your failure to return the aforesaid materials when due.-

As a courtesy, I am informing you that you may return all past due materials and pay the fine within \_\_\_\_\_ days of the date hereof without revocation or prosecution. If complete return in undamaged condition is not made within that time, the Library will proceed with all remedies available to it.