

## CHAPTER 20

### LIBRARY

#### ARTICLE I – GENERAL PROVISIONS

**20-1-1**        **SHORT TITLE.** This Chapter may be cited and shall be named as the Sallie Logan Public Library Code.

**20-1-2**        **CORPORATE AUTHORITY DEFINED.** For the purposes of this Chapter, the term “Corporate Authority” means the City of Murphysboro, Jackson County, Illinois.

The terms “Board”, “Board of Trustees”, or “Board of Library Trustees” mean the Board of Library Trustees of the Sallie Logan Public Library of the City of Murphysboro, Jackson County, Illinois.

The term “Library” means the Sallie Logan Public Library of the City of Murphysboro, Jackson County, Illinois.

**20-1-3**        **ESTABLISHMENT BY CORPORATE AUTHORITY.** The public library in the City is the Sallie Logan Public Library. The Library was previously established by action of the Corporate Authority, acting according to the statutes of the State of Illinois.

**20-1-4**        **USE—RULES AND REGULATIONS.** Sallie Logan Public Library shall be forever for the use of the residents and taxpayers of the City, subject to such reasonable rules and regulations as the Library Board may adopt in order to render the use of the Library of the greatest benefit to the greatest number of such residents and taxpayers.

**20-1-5**        **PENALTIES.** The Corporate Authority may provide for suitable penalties for persons committing injury upon the Library or the grounds or other property thereof and for injury to or failure to return any library material belonging to the Library. **(See Section 1-1-20)**

**20-1-6**        **DONATIONS.** Any person or persons desiring to make donations of money, personal property or real estate for the benefit of the Library, may vest title to the donation, to be held and controlled by such Trustees when accepted according to the terms of the deed, gift, devise, or bequest of such donation. The Board of Library Trustees shall be held and considered to be a special trustee of such donated property.

**20-1-7**        **CONFIDENTIALITY OF RECORDS.** The library is subject to the provisions of The Library Records Confidentiality Act of the State of Illinois.

## ARTICLE II – METHOD OF CREATION

**20-2-1**        **ESTABLISHMENT AND MAINTENANCE—TAX LEVY.**    To provide a local public institution of general education for the citizens of the City, the Corporate Authority of the City may establish and maintain a public library for the use and benefit of the residents of the City and may, subject to the limitations of **Article III**, levy a tax for library purposes.

**20-2-2**        **MERGER OF LIBRARIES AND BOARD OF TRUSTEES—  
ASSETS AND LIABILITIES.** In the event the voters approve of a merger of **two (2)** or more cities, or villages, or incorporated towns or townships, such as to affect Sallie Logan Public Library, the merger shall also occur as follows:

Where the merger affects a city, village, incorporated town or township, without a public library and one with a public library, then the existing Board of Library Trustees shall, upon the merger, exercise its powers and duties under this Chapter, as amended, over the merged territory, and this Chapter, as amended, shall govern the merged territory.

Where the merger affects **two (2)** or more cities, villages, incorporated towns, or townships, each with a public library, then the existing Boards of Library Trustees shall be merged into one new Board, and the new Board shall thereupon exercise its powers and duties under this Chapter, as amended, over the emerged territory, and this Chapter, as amended, shall govern the merged territory. Such Board members shall serve out their respective terms, but as their respective terms expire, successors shall be elected or appointed, as the case may be, only in the case where it is necessary to provide a normal membership for a new Board.

In every merger, the Board whose territory is being expanded, or the Board being merged, shall take such action as is necessary to effectuate the merger approved by the voters, and shall by resolution specify the effective date thereof. In addition, the new Library Board shall acquire the assets and assume the liabilities of the predecessor Library Board or Boards.

## ARTICLE III - TAXATION

**20-3-1 TAX RATE—ELECTION ON INCREASED RATES—ADDITIONAL TAX LEVY.** The Corporate Authority shall levy a tax for library purposes of not to exceed **thirty percent (30%)** of the value of all taxable property in the City, as equalized or assessed by the Department of Revenue. If the Corporate Authority desires to increase the tax rate but not in excess of **sixty percent (60%)** of value of such purposes the Corporate Authority may, by ordinance, stating the tax rate desired, direct that a proposition be submitted to the voters of the City at any regular election. The proposition shall be in substantially the form prescribed in **Section 20-3-2**. If a majority of the votes cast upon the proposition are in favor thereof, the Corporate Authority may thereafter levy annually, a tax for library purposes at the authorized increased rate. Any tax levied pursuant to **Section 20-3-6** shall be disregarded in applying the provisions of this Section.

The Corporate Authority may also levy an additional tax of **two percent (2%)** of the value of all taxable property in the City, as equalized or assessed by the Department of Revenue, for the purchase of sites and buildings, for the construction and equipment of buildings, for the rental of buildings required for library purposes, and for maintenance, repairs and alteration of library buildings and equipment. In any year in which the Corporate Authorities propose to levy such additional **two percent (2%)** tax, the Corporate Authority shall adopt a resolution determining to levy such tax. Within **fifteen (15) days** after the adoption of the resolution, it shall be published at least once in **one (1)** or more newspapers published in the City, or if no newspaper is published therein, then in **one (1)** or more newspapers with a general circulation within the City. In the event there is no newspaper published in the City, publication may instead be made by posting a notice in **three (3)** prominent places within the City. The publication or posting of the resolution shall include a notice:

- (A) the specific number of voters required to sign a petition requesting that the question of the adoption of the resolution be submitted to the electors of the City;
- (B) the time in which the petition must be filed;
- (C) the date of the prospective referendum.

The City Clerk shall provide a petition form to any individual requesting one. If no petition is filed with the Corporate Authority within **thirty (30) days** after publication or posting of the resolution, or if all petitions so filed are determined to be invalid or insufficient the City shall then be authorized to levy the tax. However, if within the **thirty (30) day** period, a petition is filed with the Corporate Authority, signed by electors of the City equal in number to **ten percent (10%)** or more of the total number of registered voters in the City, asking that the question of levying such a **two percent (2%)** tax be submitted to the electors of the City, the question shall be submitted for election. Notice of this referendum shall be given as provided by the general election laws of the State, and the referendum shall be held in all respects in accordance with those laws. The proposition shall be in substantially the following form: “Shall the Corporate Authority of the City of Murphysboro, Jackson County, Illinois,

be authorized to levy an additional tax of \_\_\_\_\_ for the construction of buildings, provision of sites, etc., as determined by resolution of \_\_\_\_\_, 2 \_\_\_\_?”. If a majority of votes cast upon the proposition are in favor thereof, the Corporate Authorities may levy the additional tax.

**20-3-2**            **ELECTION FOR INCREASE OF TAX.** The Corporate Authority shall adopt an ordinance for submitting the question of increasing the library tax for maintenance and operation at such general election and the City Clerk shall certify the proposition to the proper election officials, who shall submit the question at a general election in accordance with the general election law. The question shall be in substantially the following form:

Shall the annual library tax for maintenance and operation in the City of Murphysboro, Jackson County, Illinois, be increased from \_ to \_\_\_\_\_?        YES    NO

**20-3-3**            **LEVY AND COLLECTION OF TAXES—DISPOSITION OF PROCEEDS.** The library taxes provided for in this Article shall be levied by the Corporate Authority in amounts determined by the Board and collected in like manner with other general taxes of the City, the proceeds shall be deposited in a special fund, which shall be known as the library fund. The proceeds of any such tax shall be paid over by the officer charged with the collection thereof to the Board of Trustees of the Library. Expenditures from the library fund shall be under the direction of the Board of Library Trustees.

**20-3-4**            **LIBRARY TAXES—STATUS FOR LIMITATION PURPOSES.** The library taxes provided for in this Article are in addition to all other taxes or tax rates authorized to be levied by a city for library purposes according to the Statutes of the State of Illinois, which are hereby incorporated as ordained by the City, and they shall not be a part of the taxes making up any rate prescribed as a limitation on the amount of taxes the City may levy as library taxes or otherwise.

**20-3-5**            **CONTINUATION OF TAX LEVY RFOR MERGED LIBRARIES—RATE OF TAX.** In the event the voters approve of a merger of **two (2)** or more cities, or villages, or incorporated towns or townships and the merger affects one or more public libraries, including Sallie Logan Public Library, the library taxes levied before such merger, shall continue to be levied and collected for library purposes. The ceiling on the annual tax for maintenance of the public library resulting from the merger shall be at a rate not higher than any lawful rate authorized to be extended before the merger in any of the merged areas.

**20-3-6**            **TAX LEVY FOR LOCAL LIBRARY WORKING CASH FUND.** For the purpose of providing money to establish and replenish a working cash fund for Sallie Logan Public Library as authorized by **Section 20-4-13**, the Corporate Authority shall have the power to levy, upon all the taxable property of the City, a tax not to exceed **five percent (5%)** of the value, as equalized or assessed by the Department of Revenue for the year in which the levy is made. The tax shall be levied and collected in like manner with other general taxes of the City, but the collection of the tax shall not be anticipated by the issuance of any warrants drawn against the tax. The tax shall be known as the Sallie Logan Public Library working cash fund tax and shall be set apart in a special fund as prescribed in **Section 20-4-13**. Whenever a tax is first levied under this Section, any taxpayer in the City, may, within **thirty (30) days** after the levy is made, file with the Corporate Authority a petition signed by voters of the City, equal in number to **ten percent (10%)** or more of the registered voters of the City, requesting the submission of a proposition to the voters of the City, at an election in accordance with the general election law. The Corporate Authority shall certify the proposition to the proper election officials, who shall submit the proposition to the voters at an election in accordance with the general election law. If a majority of the votes cast upon the proposition are in favor thereof the tax shall thereafter be authorized; if a majority of the votes cast upon the proposition are against the proposition the tax shall not be levied.

The City may not levy under this Section for more than **four (4) years** but the **four (4) years** for which any municipality elects to levy such tax need not be consecutive.

## ARTICLE IV – BOARD OF TRUSTEES

**20-4-1**        **BOARD OF TRUSTEES IN CITIES—APPOINTMENT.** The Sallie Logan Public Library shall be governed by a Board of **nine (9) trustees**, appointed by the Mayor within the approval of the City Council, chosen from City residents with reference to their fitness for such office. Not more than **one (1) member** of the City Council shall be at any one time a member of the Library Board.

**20-4-2**        **TERMS OF OFFICE; REMOVAL.**

(A)            The existing members of the Board of Trustees of Sallie Logan Public Library who hold their office upon the effective date of this Code shall serve out their respective terms. Thereafter, Library Trustees shall hold office for a period of **three (3) years** from the **first (1<sup>st</sup>) of July** following their appointment. Annually the Mayor shall, before the **first (1<sup>st</sup>) of July** of each year, appoint **three (3) trustees** to take the place of retiring trustees. The Trustees shall hold office for **three (3) years** and until their successors are appointed.

(B)            The Mayor may remove any trustee for good cause.

**20-4-3**        **VACANCIES.** 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 absent without cause from all regular Board meetings for a period of **one (1) year**, or is convicted of a misdemeanor for failing, neglecting or refusing to discharge any duty imposed upon a trustee by this Chapter, or becomes a nonresident of the City, or who fails to pay the library taxes levied by the Corporate Authority.

**20-4-4**        **COMPENSATION.** Trustees shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties from library funds.

**20-4-5**        **OATH OF OFFICE—ORGANIZATION—MEETINGS.** Within **sixty (60) days** after their appointment, the Trustees shall take the oath of office. The required oath shall be taken and subscribed before the Secretary or Secretary pro tempore of the Library Board.

The Board of Trustees shall elect a President and a Secretary and such other officers as the Board may deem necessary. The Trustees shall determine the time and place of all official meetings of the Board at which any legal action may be taken and shall post notice thereof at the public library maintained by the Board and at not less than one public place within the corporate confines of the City of Murphysboro, Jackson County, Illinois, one day in advance thereof.

**20-4-6**            **POWERS AND DUTIES.** The Board of Library Trustees of the City of Murphysboro, Jackson County, Illinois shall carry out the spirit and intent of this Chapter in establishing, supporting and maintaining a public library or libraries for providing for library service and, in addition to but without limiting other powers conferred by this Chapter, shall have the following powers:

(A)            To make and adopt such bylaws, rules and regulations, for their own guidance and for the government of the Library as may be expedient, not inconsistent with this Chapter;

(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 or buildings for the use of the Sallie Logan Public Library, using, at the Board's option, contracts providing for all or part of the consideration to be paid through installments at stated intervals during a certain period not to exceed **twenty (20) years** with interest on the unpaid balance at any lawful rate for municipal corporations in this State, except that contracts for installment purchases of real estate shall provide for not more than **seventy-five percent (75%)** of the total consideration to be repaid by installments, and to refund at anytime any installment contract entered into pursuant to this paragraph by means of a refunding loan agreement, which may provide for installment payments of principal and interest to be made at stated intervals during a certain period not to exceed **twenty (20) years** from the date of such refunding loan agreement, with interest on the unpaid principal balance at any lawful rate for municipal corporations in this State, except that no installment contract or refunding loan agreement for the same property or construction may exceed an aggregate of **twenty (20) years**.

(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, and to lease to others any real property not immediately useful but for which plans for ultimate use have been or will be adopted but the Corporate Authority shall have the first right to purchase or lease.

(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, to fix their compensation, and to remove appointees subject to the approval of the Board.

(H)            The Board may also retain counsel and professional consultants as needed;

(I)            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 Chapter. This contractual power includes, but is not limited to, participating in interstate library compacts and library systems, contracting to supply library services, and expending of

any federal or State funds made available to any county, municipality, township or to the State of Illinois for library purposes. However, if a contract is for the supply of library services for residents without a public library established under the provision of applicable law, the terms of that contract will recognize the principle of equity or cost of services to non-residents expressed in this Section of this Chapter and will provide for the assumption by the contracting party receiving the services of financial responsibility for the loss of or damage to any library materials provided to non-residents under the contract;

(J) To join with the Board or Boards of any one or more libraries in this State in maintaining libraries, or for the maintenance of a common library or common library services for participants, upon such terms as may be agreed upon by and between the boards;

(K) To enter into contracts and to take title to any property acquired by it for library purposes by the name and style of "The Board of Library Trustees of the City of Murphysboro, Jackson County, Illinois" and by that name to sue and be sued;

(L) To exclude from the use of the library any person who willfully violates the rules prescribed by the Board;

(M) To extend the privileges and use of the library, including the borrowing of materials on an individual basis by persons residing outside of the City. If the Board exercises this power, the privilege of library use shall be upon terms and conditions as the Board shall from time to time by its regulations prescribe, and for such privileges and use, the Board shall charge a nonresident fee at least equal to the cost paid by residents of the City, with the cost to be determined according to the formula established by the Illinois State Library. The nonresident cards shall allow for borrowing privileges only at the library where the card was issued. The nonresident fee shall not apply to privilege and use provided under the terms of the library's membership in a library system operating under the provisions of the Illinois Library System act, under the terms of any reciprocal agreement with a public library or private corporation or entity providing a library service, or to a nonresident who as an individual or as a partner, principal stockholder, or other joint owner owns taxable property or is a senior administrative officer of a firm, business, or other corporation owning taxable property within the City of Murphysboro, Jackson County, Illinois, upon presentation of the most recent tax bill upon that taxable property, provided that the privilege and use of the library is extended to only one such nonresident for each parcel of such taxable property;

(N) To exercise the power of eminent domain subject to the prior approval of the Corporate Authority;

(O) To join the public library as a member and to join the library trustees as members in the Illinois Library Association and the American Library Association, non-profit, non-political, (501-C-3) associations, as designated by the federal Internal Revenue Service; having the purpose of library development and librarianship; to provide for the payment of annual membership dues, fees and assessments and act by, through and in the name of such instrumentality by providing and disseminating information and research services, employing personnel and doing any and all other acts for the purpose of improving library development;

(P) To invest funds pursuant to the Public Funds Investment Act of the State of Illinois;



(Q) To accumulate and set apart as reserve funds portions of the unexpended balances of the proceeds received annually from taxes or other sources, for the purpose of providing self-insurance against liabilities relating to the public library.

**20-4-7**            **ADDITIONAL POWERS AND DUTIES.** In addition to all other powers and authority now possessed by it, the Board of Trustees shall have the following powers:

(A) To lease from any public building commission created pursuant to the provisions of the Public Building Commission Act, as now or hereafter amended, any real or personal property for library purposes for a period of time not exceeding **twenty (20) years**;

(B) To pay for the use of this leased property in accordance with the terms of the lease and with the provisions of the Public Building Commission Act, as now or hereafter amended;

(C) Such lease may be entered into without making a previous appropriation for the expense thereby incurred. However, if the Board undertakes to pay all or any part of the costs of operating and maintaining the property of a public building commission as authorized in paragraph (D) of this Section, such expenses of operation and maintenance shall be included in the annual budget of such Board annually during the term of such undertaking;

(D) In addition, the Board may undertake, either in the lease with a public building commission or by separate agreement or contract with public building commission, to pay all or any part of the costs of maintaining and operating the property of a public building commission for any period of time not exceeding **forty (40) years**.

**20-4-8**            **SELECTION AND USE OF LIBRARY MATERIALS.** The Board of Library Trustees shall establish and review at least biennially, a written policy for selection of library materials and the use of library materials and facilities. No employee may be disciplined or dismissed for the selection of library materials when the selection is made in good faith and in accordance with the written policy required to be established pursuant to this Section.

**20-4-9**            **BOND OF CUSTODIAN OF FUND.** The Board of Trustees shall require the Treasurer of such Board or such other person as may be designated as the custodian of the moneys paid over to such Board to give a bond to be approved by such Board and in such amount, not less than **fifty percent (50%)** of the total funds received by the Library in the last fiscal year, conditioned that he will safety keep and pay over upon the order of such board all funds received and held by him for such Board of Trustees. The Board of Library Trustees may designate the Treasurer of the Corporate Authority as the custodian of the library fund and the bond given by the Treasurer shall satisfy the bond requirements of this Section when properly endorsed. The cost of any surety bond shall be borne by the Library.

**20-4-10**        **ANNUAL REPORT.** Within **thirty (30) days** after the expiration of each fiscal year of the City the Board of Trustees shall make a report of the condition of their trust on the last day of the fiscal year, to the City Council. This report shall be made in writing and shall be verified under oath by the Secretary, or some other responsible office of the Board of Trustees. It shall contain:

(A)            an itemized statement of the various sums of money received from the library fund and from other sources;

(B)            an itemized statement of the objects and purposes for which those sums of money have been expended;

(C)            a statement of the number of books and periodicals available for use, and the number and character thereof circulated;

(D)            a statement of the real and personal property acquired by legacy, purchase, gift or otherwise;

(E)            a statement of the character of any extensions of library service which have been undertaken;

(F)            a statement of the financial requirements of the Library for the ensuing fiscal year for inclusion in the appropriation of the Corporate Authority, and of the amount of money which, in the judgment of the Board of Library Trustees, it will be necessary to levy for library purposes in the next annual tax levy ordinance;

(G)            a statement as to the amount of accumulations and the reasons therefore;

(H)            a statement as to any outstanding liabilities including those for bonds still outstanding or amounts due for judgments, settlements, liability insurance, or for amounts due under a certificate of the Board;

(I)            any other statistics, information and suggestions that may be interest.

A report shall also be filed at the same time, with the Illinois State Library.

**20-4-11**        **INCLUSION WITHIN PUBLIC LIBRARY DISTRICT—  
SUSPENSION OF POWERS—DUTIES.** The powers granted board of trustees shall be suspended during any period that the City, is included within any public library district established under “The Illinois Public Library District Act,” as hereafter amended. However, such board shall exercise its powers as to any portion of a city which is not included within the district.

**20-4-12**        **HISTORICAL MUSEUM AND LIBRARY—PARTICIPATION IN  
MAINTENANCE.** Whenever any historical society or other civic body or corporation, organized for the promotion of historical education, is maintaining a historical museum and library within the territory served by a public library subject to this Chapter, the Board of Trustees of Sallie Logan Public Library may participate in the maintenance of such historical museum and library upon such terms and conditions as may be mutually agreed upon by the Board of Trustees of Sallie Logan Public Library and the governing board of such historical society or other civic body or corporation.

**20-4-13**        **LOCAL LIBRARY WORKING CASH FUND.** The Board of Library Trustees may, by resolution, create and maintain a working cash fund, for the sole purpose of enabling the Library Board to have in its funds, at all times, sufficient money to meet demands thereon for ordinary and necessary and committed expenditures for library purposes.

Such working cash fund shall be known as the Sallie Logan Public Library working cash fund and may contain any amount deemed necessary by the Board to satisfy the purpose of the fund; provided, that the balance in the fund shall not anytime be allowed to exceed **two percent (2%)** of the full, fair cash value of all taxable property within the corporate limits, as equalized or assessed by the Department of Revenue as of the year the fund is established. The money for such fund shall only accrue from the Sallie Logan Public Library working cash fund tax authorized to be levied pursuant to **Section 20-3-6**. The Board may appropriate moneys to the working cash fund up to the maximum amount allowable in the fund, and the working cash fund may receive such appropriations and any other contributions.

Once the fund has been created, the proceeds shall be deposited in a special and separate fund, and may be carried over, from year to year without in any manner reducing or abating a future annual library tax levy. It shall be identified in the appropriation each year, but shall not be deemed as a current asset available for library purposes.

The proceeds of such fund may be transferred from the Sallie Logan Public Library working cash fund to the general library fund, and disbursed therefrom in anticipation of the collection of taxes lawfully levied for general library purposes or in anticipation of such taxes, as law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5 (c) of the Constitution of the State of Illinois. Such taxes when collected, and after payment of tax warrants, shall be drawn upon to reimburse the working cash fund.

**20-4-14**        **ABOLITION OF WORKING CASH FUND—TRANSFER OF BALANCE—APPROVAL OF SUBSEQUENT FUNDS.** The Board of Library Trustees may, by resolution, abolish a working cash fund established pursuant to **Section 20-4-13** and direct the transfer of any balance in such fund, including any interest that has accrued, to the general library fund at the close of the fiscal year. However, if the Board abolishes a working cash fund under this provision, it shall not establish another working cash fund, unless establishment of the fund is approved by the majority of the voters of the City of Murphysboro, Jackson County, Illinois, voting on the question at a referendum.

**20-4-15**        **PAYMENTS OF JUDGMENTS, SETTLEMENTS AND LIABILITY INSURANCE—LEVY OF ADDITIONAL TAXES FOR PAYMENTS.**

- (A)            The Board of Library Trustees may, by resolution, provided for:
- (1)            the payment, in the manner provided for in the “Local Governmental and Governmental Employees Tort Immunity Act,” of any judgment for which it is liable;

- (2) the making of payments to settle or compromise a claim or action against the Board; and
- (3) the contracting and payment of premiums for insurance against loss or liability, as provided in the “Local Governmental and Governmental Employees Tort Immunity Act.”

(B) In addition, the Board may include in the statement of financial requirements in its annual report to the Corporate Authority the specific sums required to make payments provided for in the first paragraph of this Section and the amount of any additional taxes it will be necessary to levy for these purposes. The Corporate Authority may levy a tax for these purposes under the “Local Governmental and Governmental Employees Tort Immunity Act.”

**20-4-16      APPROPRIATIONS—TERMINATIONS.** Appropriations for library purposes within the annual appropriation ordinance of the Corporate Authority, shall terminate with the close of the fiscal year of the Library, except that any remaining balances shall be available for **ninety (90) days** thereafter for the authorization of the payment and the payment of obligations incurred either before the close of the fiscal year or within the **ninety (90) day** period thereafter. All balances remaining after such **ninety (90) day** period shall be available for transfer to be accumulated under **Section 20-5-1** and **20-5-8** of this Chapter.

**20-4-17      SALE OR DISPOSITION OF REAL OR PERSONAL PROPERTY.** When the Board of Trustees has determined to sell or otherwise dispose of real or personal property that it deems no longer necessary or useful for library purposes, such may be sold or disposed of at a public sale, but the Corporate Authority shall have the first right to purchase such property for public or corporate purposes by meeting bids acceptable to the Board.

(A) Personal property of any value may be donated or be sold to any other tax supported library or to any library system operating under the provisions of the Illinois Library System Act under such terms or conditions as the Board may determine.

(B) Personal property having a unit value of **One Thousand Dollars (\$1,000.00)** or less may be disposed of as the Board may determine.

(C) Personal property having a unit value of more than **One Thousand Dollars (\$1,000.00)** but less than **Two Thousand Five Hundred Dollars (\$2,500.00)** may be displayed at the Library, and a public notice of its availability, the date and terms of the proposed sale shall be posted.

(D) In all other cases, the Board shall publish notice of the availability and location of the real or personal property and the date and terms of the proposed sale, giving such notice each week for **two (2)** successive weeks. Such notice shall be published in **one (1)** or more newspapers published within the City, or, if there is no such newspaper, then at least once in a newspaper of general circulation in the City.

On the day of a sale conducted pursuant to the provision of this Section, the Board shall proceed with the sale and may sell such property for a price determined by the Board, or, to the highest bidder. Where the Board deems the bids inadequate, it may reject such bids and re-advertise the sale.

**20-4-18      PROMPT PAYMENT.** Purchases made pursuant to this Chapter shall be made in compliance with the “Local Government Prompt Payment Act.”

## ARTICLE V – BUILDINGS

### **20-5-1 SITES, BUILDINGS AND EQUIPMENT—PURCHASE, ERECTION, REPAIR, REMODELING, IMPROVEMENT—PROCEDURE.**

Whenever the Board of Trustees of the Sallie Logan Public Library determines to erect a building to be used as a library, or to purchase a site for the same, or to purchase a building, or to repair, remodel or improve an existing library building, or build an addition thereto, or to furnish necessary equipment therefore, or to acquire library materials such as books, periodicals, films, recordings, and electronic data storage and retrieval facilities in connection with the purchase or construction of a new library building or the repair, remodeling, or improvement of an existing library building or the expansion of an existing library building, or to accumulate a fund to accomplish any of such purposes, or to do any or all of these things, the Trustees may proceed as follows:

If a new building is to be erected, the existing library building is to be remodeled, repaired, improved or an addition thereto erected, or necessary equipment is to be furnished, or any or all of these things are to be done, the Board of Trustees shall cause a plan to be prepared and an estimate to be made of the cost. If a site or building is to be purchased, the Trustees shall cause an estimate to be made of the cost of such site or building. The Trustees may then determine the funds that will be available from accumulations, and the amount to be raised from a bond issue, by annual certification, or by a mortgage. The Trustees shall further determine the term, not exceeding **twenty (20) years**, over which they shall spread the collection of the cost of erecting a new building, or remodeling, repairing, improving an existing library building or erecting an addition thereto, or furnishing necessary equipment, or purchasing and improving a site of building, or the acquisition of library materials such as books, periodicals, recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building, or any or all of these things.

For the purpose of this Act, the acquisition of library material such as books, periodicals, films, recordings and electronic data storage and retrieval facilities is considered to be in connection with purchase or construction of a new library building or the repair, remodeling or improvement of an existing library building or the expansion of an existing library building if the determination of the Board of Trustees to acquire such library materials is made within **five (5) years** from the date that new library building is purchased, or construction of a new library building or the repair, remodeling or improvement of an existing library building or the expansion of an existing library building is completed.

The Board shall make a record of their proceedings and determinations and transmit a copy thereof to the Corporate Authority for the consideration and approval.

**20-5-2 SITES, BUILDINGS AND EQUIPMENT—PURCHASES, ERECTION, REPAIR, REMODELING, IMPROVEMENT—BONDS.**

If the Corporate Authority approves the action of the Library Board under **Section 40-5-1**, they may by ordinance, provide that the bonds of the City be issued for the payment of the cost (so estimated as aforesaid) of constructing a building, or remodeling, repairing, improving an existing library building or the erection of an addition thereto, or purchasing a building site or equipment or the acquisition of library materials such as books, periodicals, recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, or any or all of these things in which event an ordinance or resolution shall also state the time or times when such bonds, and the interest thereon shall become payable. However, the whole principal of such bonds and the interest thereon shall be payable within **twenty (20) years**, and the interest on such bonds shall not exceed the rate permitted in “An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein” of the State of Illinois, approved **May 26, 1970**, as now or hereafter amended. The interest may be made payable at such times (annually or semi-annually) as an ordinance or resolution may prescribe. In case the Corporate Authority provides for such payment by the issuance of bonds, they shall make provision at or before the issuance thereof, by ordinance, which shall be irrevocable, for the levy and collection of a direct annual tax upon all the taxable property within such city, sufficient to meet the principal and interest of the bonds as they mature, which tax shall be in addition to that otherwise authorized to be levied and collected for corporate purposes.

If, however, the Corporate Authority does not provide that the bonds of the City be issued, but otherwise approves the action of the Library Board, then the Library Board shall divide the total cost of constructing and financing a building, or remodeling, repairing, improving and existing library building or the erection of an addition thereto, or purchasing and financing a building, site or equipment, or the acquisition of library materials such as books, periodicals, recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, or any or all of these things, into a many parts as the Trustees determine to spread the collection thereof, and shall certify the amount of one these parts to the Corporate Authority each year during the term over which the Trustees have determined to spread the collection. This action by the Library Board is irrevocable.

The Library Board shall specify in its certificate the portion, if any, of the amount to be included in the annual appropriation and library tax levy, and the amount of the special tax required to pay the same as has been approved by the voters.

**20-5-3 SITES, BUILDINGS AND EQUIPMENT—PURCHASE, ERECTION, REPAIR, REMODELING, IMPROVEMENT—LEVY AND COLLECTION OF TAXES.**

The Corporate Authority on receiving the certificate of the Board of Trustees, provided in **Section 20-5-2**, shall in its next annual appropriation ordinance or resolution, include the amount so certified, and shall, for the amount certified levy and

collect a tax to pay such with the other general taxes of the City and the proceeds of such tax shall be paid over by the officer charged with the collection thereof to the Board of Trustees of the Library to be applied by such Board of Trustees to the purpose for which such tax was levied. Such levy shall not exceed **.0833%** of the value, as equalized or assessed by the Department of Revenue, in any **one (1) year**, and shall not be levied for more than the number of years into which the Library Board, in those cases where bonds were not issued as provided in **Section 20-5-2**, has divided the cost of constructing a building, or remodeling, repairing, improving an existing building or the erection of an addition thereto, or purchasing a site, building or equipment, or to acquire library materials such as books, periodicals, films, recordings an electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building, or any or all of these things. When collected as provided in this Section, the tax shall cease.

**20-5-4 SITES, BUILDINGS AND EQUIPMENT—PURCHASE, ERECTION, REPAIR, REMODELING, IMPROVEMENT—COMMENCEMENT—INVESTMENT OF FUNDS—CONTRACTS.** The Library Board shall determine when it will proceed with the construction of a building, or with the purchase of a site or building, or with the remodeling, repairing, or improving of an existing library building, or the building of an addition thereto, or with the purchase of necessary equipment, or the acquisition of library materials such as books, periodicals, recordings, and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, or any or all of these things. The Board may proceed at once or may determine to wait and allow the fund to accumulate. If the Board determines to let the fund accumulate, it shall invest the money in good interest paying securities, such as are authorized by law for the investment of trust funds, there to remain until the same is needed for any or all of the purposes enumerated aforesaid. The Board may contract to accomplish any or all of the purposes enumerated aforesaid, and may apply the proceeds of the tax as collected, toward payment therefore.

**20-5-5 CONSTRUCTION, REPAIR OR REMODELING CONTRACTS—PROCEDURE FOR AWARDED—SECURITY.** When the Board determines to commence the construction of the building or the remodeling, repairing or improving of an existing library building or the erection of an addition thereto, the purchase of necessary equipment for such library, or the acquisition of library materials such as books, periodicals, recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, it may then revise the plan thereof or adopt a new plan and provide estimates of the costs thereof, and shall, when the cost is in excess of **Ten Thousand Dollars (\$10,000.00)**, advertise for bids for the construction of the building, or the remodeling, repairing or improving of an existing library building or the erection of an addition thereto, or the purchase of the necessary equipment for such library, or the acquisition of library materials such as books, periodicals,

recordings and electronic data storage and retrieval facilities in connection with either the purchase or construction of a new library building or the expansion of an existing library building, and shall let the contract or contracts for the same, when the cost is in excess of **Ten Thousand Dollars (\$10,000.00)**, to the lowest responsible bidder or bidders and may require from such bidders, such security for the performance of the bids as the Board shall determine. The Board may let the contract or contracts to one or more bidders, as it shall determine.

**20-5-6**        **MORTGAGES—EXECUTION—RETIREMENT—TAX LEVIES.** If the Board deems it best, in order to provide and secure the necessary money to do any or all of the things it is authorized to do in and by this Article, it may with the approval of the Corporate Authority at anytime borrow money and execute a mortgage on an existing library building or site owned or being purchased, or on a library building being constructed, for an amount not exceeding **seventy-five percent (75%)** of the value thereof as improved, and the money so obtained shall be used exclusively for the purchase of a site or a building or for the construction of a building for library purposes or for the remodeling, repairing or improving of such existing library building or building and addition thereto or for the erection of a new library building of for purchase and improvement of a site or building adjoining or adjacent to the existing site and building or the purchase of necessary equipment for such library, as provided in the plan. The proceeds of any special tax levied under **Section 20-5-3** may be applied in whole or part in payment of any mortgage indebtedness so incurred. The levy of a tax hereunder for the purpose of meeting such mortgage and interest, or the principal and interest on bonds issued hereunder, or for the accumulation of a fund as herein above provided, shall not be included in the aggregate amount of taxes as limited by Division 3 of Article 8 of the Illinois Municipal Code of the State of Illinois nor shall it affect any appropriation made, or to be made for the support of the library.

**20-5-7**        **TAX LEVY—REFERENDUM.** The City is not authorized to levy a tax provided for in this Article unless it first adopts an ordinance authorizing the levy of such tax, certifies to the proper election officials the proposition for the approval of such tax and such election officials the proposition for the approval of such tax and such election officials submit the proposition to the voters of the City as the case may be, at a regular election and such proposition is approved by a majority of such voters voting upon the question; the proposition shall state the tax, and the purpose thereof as established by the ordinance or resolution.

**20-5-8**        **ACCUMULATION OF FUNDS.** The Library Board of Sallie Logan Public Library may accumulate and set apart, as reserve funds, for the purchase of sites and buildings, for the construction and equipment of buildings, for the rental and repair of buildings acquired for library purposes, and for planned and emergency repairs and alterations of library buildings and equipment, the unexpended balances of the proceeds annually received



from taxes not to excess of the statutory limits, provided the Library Board in its annual appropriation determination to the Corporate Authority specifies that a specific fund is to be or is being accumulated for this purpose and had further resolved to develop and adopt a plan or plans pursuant to this Article. The plan required herein will be developed in general form within **two (2) years** of the adoption of the ordinance establishing a special reserve fund; such plan subsequently may be amended as circumstances may require. No plan is needed for the emergency expenditures for this fund for the repair of an existing library building or equipment.

**(Ord. No. 00-15; 05-09-00)**