

**Kennett Public Library
Board of Trustees Meeting – March 17, 2015
Minutes**

Board Members Present: Karen Ammon, Geoff Birkett, Jerry Brown, Barbara Cairns, Susan Mackey-Kallis, Carolyn Mohr, Carol Starzmann, Douglas Thompson, Joan Weber.

Others: Donna Murray; Bill Landmesser; Joe Sherwood, CCLS Executive Director; Amy Cornelius and Diane Gies, former New Building Committee volunteers; John Starzmann; Wendy Walker; Ed Rahme.

TC: Jim Nelson, Joan Weber

Absent with notice: Rosa Quintana

Susan called the meeting to order at 7:02. She welcomed the guests present for the meeting, and introduced Joe Sherwood.

Barbara questioned what constitutes a quorum for a board meeting, and Susan replied that a simple majority is required for a quorum and referenced the published by laws.

Review & Adoption of Consent Agenda – Barbara raised reporting on trends for library and literacy statistics. Donna will have a full report for the April meeting. Barbara also pointed out that there were some typos in the minutes. On a motion by Barbara, and a second by Jerry, and with the understanding that simple typos be corrected, the board voted unanimously to accept the Consent Agenda.

There was discussion about why circulation is up 7 percent in January and February of 2015, over the same period last year. Joe Sherwood speculated that it could be there were no snow days in 2015. Donna felt it may be due to underlying positive trends. Geoff commented that it was a positive sign and negated the perceived issue that the recent branding change had alienated customers.

Announcements – Susan reminded everyone about the Home and Garden request for contributions of wine and spirits by board members for a raffle basket. Susan also reported on the Strategic Planning session March 13 with four board members and 15 staff members in attendance. Susan will put together a report from the comments. A public session with the board is planned for April 13; the board was asked to mark their calendars and attend. Donna will advertise on Facebook, the website, the newspapers and with flyers in the library.

Board Development Committee – Doug reported that Rosa has met with a candidate for the board – Margarita Garai. Doug will circulate her resume to the full board, and Margarita will try to attend the April board meeting.

New Building Committee (NBC) – Geoff reported that the NBC met once and has set as the key priority.

- Set the scope of the new library

Also, Carol is working on the contract with the Owner's Representative.

Jim suggested moving the architectural programming step up as early as possible in the process. He stressed the need for getting as much of the community as possible involved in program development. Geoff explained that this was in the plan that had been circulated.

Marketing, Advocacy and Development (MAD) Committee / Marketing – Donna reported that the renovation is moving forward with work having been completed on re-wiring, new wall, painting and reupholstering chairs. Susan added that plans for the re-launch ceremony are in the works.

MAD / Advocacy – Karen reported that for a dedicated tax campaign to be effective, planning needs to start at least one year out. The committee will discuss a plan for the next year when it meets.

MAD / Development – Susan reported that Maureen submitted the collection preservation grant to assess the Bayard Taylor collection. She also reported that the board will focus on the Bayard Taylor legacy with a reading room in the new library and a lecture series. She stated that the name change has enabled the staff and board to be more conscious of Bayard Taylor's legacy.

Architect Selection Discussion – Geoff reported that Carol provided him with information on how the architect was assessed in 2011/2012. He raised the issue of reconsidering the strategy because of board turnover since the decision was made and because a local firm would be more well-received in the community.

Susan reported that in a discussion with John Cacciola, selected as the library's Owner's Rep for the new library project, she raised the issue of using a local architect. Susan reported that John's recommendation is to always use a local firm unless there are special features of a building that only a non-local firm can provide. He reported that given the nature of our project (not overly technical or specialized) and given the fact that some of the best architects in the country reside in the greater Philadelphia area that there was no obvious reason to not select a local architect. He explained to Susan that a local architect brought a number of benefits including a local firm understands the local marketplace for contractors, they often has established relationship with local contractors, they know the local flavor of building aesthetics and available building materials, they can be integral to fundraising since they know the local philanthropic community, including local foundations, they are often more responsive to the OR/Board since their local reputation is at stake, and they obviously do not need to subcontract with a local architect to represent them thereby reducing costs (including no need for reimbursable travel costs to the area.) Finally he added that some organizations, such as a non-

profit educational client with whom he is currently working, advertise in their RFP that they are exclusively interested in working with a local firm. This has the added benefit of demonstrating that the organization wants to support the local economy and local businesses by this decision to hire locally. Carol agreed with many of the points made by John and added that Lukmire added local architect Dennis Melton to his architectural team for that local expertise. Dennis was present at the interviews where he was introduced as the local liaison. Dennis would be the expert on local contractors, permitting, zoning and local government. He would be part of the fundraising effort since he would represent the library at fundraisers or in appearances at local organizations to raise support for the library.

A key issue is that the Board of BTML never agreed on a contract with Lukmire, so all work done so far is ambiguous in terms of payments and possible links to future work.

Carol recounted the process for selecting an architect in 2011, and reported that all the finalists brought a local architect as part of their proposal who would be part of the team and add the value of a local architect.

- The process was advertised
- There was an informational meeting for architects that went over goals and objectives of the project, the library strategic plan, and included a tour of the town and the Weinstein lot (the planned location at the time) (50 companies attended, including local companies.)
- The library received 32 proposals, which were ranked according to criteria put together by the committee. Readers were recruited from the community, and each proposal was read and evaluated by at least three people. (31 were received, including 14 Pennsylvania firms, including local architects. Only 2 Pa. firms made it into the top 12. Bernardon was a member of the Ikon 5 team, and it was among the top 10.
- The pool was narrowed to the top 12 proposals, and more focus was put on aesthetics to further narrow the pool
- Team members visited libraries designed by the top contenders and interviewed staff and board members who worked with the architects
- Interviews were scheduled with the top three candidates – Gisolfi, Lukmire, Morris&Ritchie
- The committee asked the three finalists for pricing
- A final decision was made by the committee and a recommendation sent to the board

Geoff displayed the scores and asked why the winner and several noted local architects did not get selected. The highest ranked architects were selected to interview after an intense due diligence search, so the selection process was not just based on readings of the proposals.

Jim commented that the process was very good and the selection legitimate. He shared his view that if we change architects at this point, the board will lose credibility. He added that the board has already lost credibility with the way the name change was handled.

Jim also said that the "Board has an ethics problem". Several members objected and termed that remark insulting and inaccurate, as we have no contract with Lukmire.

It was noted that Jim has never attended a BTML Board meeting and had no knowledge of the process to change branding, or the architect hiring process.

Carol was asked what the commitment to Lukmire was. She reported that the library had entered the first stage of contract negotiations with Lukmire but the firm had not delivered a contract for review by the library. Also, that his team had started working with the construction manager on preliminary work. Lukmire had completed the first step of a space study. ALL of his work had been done pro bono with the expectation of an eventual contract. Carol said that the firm did send us a copy of a contract in the early first stages but as stated previously, this was postponed until we could conclude where the library would be situated. The architect had met with Bob Scott and Amy Cornelius as well as the construction manager to develop the collaborative agreement, which resulted in an addendum that would be added to the contract to show how the architect, construction manager and board would work together.

Joan questioned why the architect had not pressed for a contract and Susan asked whether this "pro bono" work was in lieu of an eventual contract – explaining that this is not actually pro bono.

Barbara reported that the architect was patient while we were to hire an owner's rep., and that no contracts or payments had been made.

Geoff made a motion that Kennett Public Library reopen the search for an architect, and ask four or five local firms to bid on the project, and also ask Lukmire to re-bid. The motion also included that Lukmire be reimbursed for all work done to date. Doug seconded the motion.

Geoff stressed that BTML/ KPL need to be ethical and that if we owe Lukmire, or D Melton anything, it should be paid in full now. Geoff also asked what contract was in place with D Melton. Carol reported that D Melton had no contracts and had received no payments.

Karen asked for specific dates. Carol reported:

- Process started in early 2011
- Library visits in summer 2011
- Lukmire notified in October 2012
- Team brought together in December 2012
- Barbara added that the board spent 2013 doing all it could to stay in the Borough and that subsequently the architect and construction manager contracts were put on the shelf

Doug added his comment that not using a local firm could severely hinder fund raising.

Carol responded that Eva Verplank, a local fund-raising expert, had said the community will support an architect, even if the firm is not local, if they feel it is the best choice for the project.

Karen commented that the intention was not to hinder payment to Lukmire, and that the library will pay for any work done. She stated her view that a responsible board should investigate a decision made years ago with only two board members involved in the decision remaining.

Geoff reported that Rosa commented if a local firm will help with fund-raising, her vote would be to go local.

Geoff's motion to re-open the architect search did not pass, with six opposed (Jim, Barbara, Jerry, Carol, Carolyn, Karen) and five in favor (Joan, Geoff, Doug, Rosa (by proxy), Susan)

Feasibility Study Plan – Geoff presented a flow chart outlining a plan to move the Feasibility Study for a new library forward. This included community conversations with all key stakeholders in April.

In response to Carol's question about whether we need architect drawings to do a feasibility study, Susan reported that advice from the OR and external architects is that while we need some images, we do not need specific drawings for the community conversations or the feasibility study.

Jim disagreed and stated his view that the first step is to develop an architectural program to decide the size of the library, and that process includes discussions with the community. Geoff explained again that this was part of the agreed plan.

Susan questioned the timing of the program: is it necessary for the feasibility study? Ed responded that a program could make the feasibility study more accurate but is not required.

Karen questioned how long it would take to create the program. Ed responded that it's a three-month process, and that Lukmire could help with the project.

Geoff commented that the group needs a conversation about the vision of the board as we have systematically stalled in making key decisions such as this one. Geoff circulated a very clear, one page "process outline" 5 months ago – and no-one has ever commented on it. Barbara responded that the vision is there, but the timing is different than on the flow chart. She suggested that focus groups are an important first step to inform both the program and the feasibility study. She suggested that in the first five or six months:

- Board finalize OR contract
- OR helps finalize contracts with architect and CM
- Architect starts work on community conversations and submit report to be used for case statement
- Feasibility Consultant hired
- Feasibility Consultant works on ground work with development director in preparation for a feasibility study

Karen commented that once we have all the professionals hired, they will have opinions about the timelines, and suggested inviting the OR to the next board meeting.

Susan said she is comfortable with the process Barbara outlined, as long as:

- NBC proceeds with the contract for the OR; the OR proceeds with contracts for the architect and CM.
- On a parallel track, MAD proceeds with the selection of the feasibility consultant, and works with the development director to identify the top 40 potential donors – with feasibility report to the Board in July.

Joan questioned what happens if the program calls for a \$10M library, but you only raise \$5M. Jim responded that it comes down to value engineering. The moderator at the community meetings should be able to address the issue of the library not affording everything everyone might want.

Susan noted that although the board had engaged in extensive discussion on the timeline at this meeting, that no new decision (i.e. vote) had been reached regarding changing the timeline for the new building. As a result, board members were reminded of the June 2014 minutes where a vote was taken to conduct a search, hire a feasibility consultant and conduct a feasibility study starting in June 2014. She also reminded the board that the existing new building timeline, also approved by a vote at the June 2104 meeting (despite what she felt was a great deal of ambiguity in how to interpret that timeline) still stood.

Susan reminded the board that once votes are taken and decisions are made, it behooves all board members to be supportive of the decisions of the full board, even if you are in the minority. Karen responded

Finance Report – Due to the late hour, Joan deferred the Finance Report to April.

Public Comments – Several comments were made by Ed Rahme who works with Jim Nelson, a Board member. Ed was advocating the Board use several contractors - which some board members felt was actually in contravention of the bye-laws.

Adjournment – On a motion by Barbara and seconded by Jim, the meeting adjourned at 10:01 pm.

Respectfully Submitted,
Geoff Birkett – “Acting Secretary”