

Illinois City Libraries: Guide to Success

Being a City library in Illinois is oftentimes confusing and challenging. Practices with public library and City administrations are not the same from community to community. Local practices and historical traditions make each City library unique. This guide will hopefully answer questions and provide best practices and action steps to help City library stakeholders and library directors be smarter and stronger in leading their City library.

LEGAL: ILLINOIS LOCAL LIBRARY ACT

Local public libraries, such as City libraries, are independent units of local government that are organized legally according to the Local Library Act [75 ILCS 5/1-1 et seq.]. Contrary to popular belief, a City library is **not** a department of the municipality like the City police, fire, or public works departments. City libraries operate independently of municipalities, and employees of a City library should not be considered—for legal or practical purposes—to be employees of the municipality.

This Act creates distinctions among local libraries depending on the type of governmental unit that created the library. Under the Act, local libraries can be created by cities, villages, incorporated towns, and townships, and these units of government operate differently under State law. Below is what is outlined in the Act for the organization of City libraries:

1. Cities may organize a public library solely by the action of their “corporate authorities,” meaning the mayor and City Council.
2. City libraries are governed by a board of 9 library trustees that are appointed by the City Mayor with City Council approval. Trustees must be city residents and are appointed based on their fitness for office as determined by the Mayor and City Council.
3. Not more than one member of the City Council can serve on the library board at any one time.
4. City library board trustees hold office for three years.

HOME RULE

A home rule community is a municipality that has a population of over 25,000, or a community with fewer than 25,000 population that has elected to adopt home rule status by referendum. More information on home rule, and a current list of home rule communities can be found at:

<https://www.iml.org/homerule#:~:text=Purpose%20of%20Home%20Rule&text=The%20purpose%20of%20home%20rule,doing%20so%20by%20state%20law> and <https://www.iml.org/file.cfm?key=14939>

It is important for all City libraries to understand home rule since a home rule community can exercise powers that will affect the operation and authority of the public library. For example, there appears to be some authority in law for a home rule community to extend its powers to increase the City library tax rate beyond the statutory ceiling. However, it is critical to remember that, while a municipality may be a home rule unit of government, no City library independently enjoys home rule powers.

City libraries in non-home rule communities should be particularly aware of the limitations placed on their authority by the Local Library Act.

CITY LIBRARY OPERATION

While City libraries are unique in the manner they are organized, they are similar to all other types of public libraries in terms of their powers and operations. City libraries have the following statutory authority and responsibilities:

- Authority to adopt bylaws, rules, and regulations.

- The exclusive control of expenditures of money collected for the library.
- The supervision of new, remodeling, and reconstruction of buildings and maintenance of all space used for library purposes.
- Authority to hire a qualified librarian.
- Authority to retain legal counsel.
- Authority to enter into contracts.
- Authority to take title to real property. *
- Authority to exercise the power of eminent domain for construction or expansion of library buildings. *
- Authority to borrow money, execute a mortgage, and acquire, lease, or sell real or personal property. *
- Authority to participate in the maintenance of a historical museum or library within the territory served by the City library, subject to the terms and conditions mutually agreed upon by the library board and civic body otherwise maintaining the museum or library.
- Required to comply with Illinois and federal law and regulations as appropriate.
- Required to file an annual report with the State Librarian.
- Authority to raise money through the levy of public library taxes.

**City libraries must obtain certain approvals of the municipal corporate authorities or undertake special procedures for these actions.*

DIFFERENCES BETWEEN CITY LIBRARIES AND DISTRICT LIBRARIES*:

- The levy for district libraries is enacted by the district; the levy for a City library is levied by a municipality on the library's behalf.
- District libraries may issue tax anticipation warrants; City libraries cannot unless issued by the City.
- District libraries issue their own bonds; City libraries can only issue bonds with permission of the City.
- District libraries have no specific statutory debt limit; City libraries may have a debt limit depending on the city.
- District libraries may annex additional territory through referendum, consent of property owner, or other means; City libraries cannot exceed the boundaries of their City.

The local library definition encompasses city, village, town and township libraries. The above list is for City libraries who have an appointed board, **not an elected board.*

AUTHORITY- QUESTIONS TO ASK

There are many ways you as a City library director can promote a successful relationship with your municipality. The below checklist table provides questions that a City library director should have answers to as they move into their position of leading their library.

Topic	Questions to ask	Action	Notes
Board Members	What is the process to appoint someone?		
Bylaws	Does the library have bylaws, who approves them?		

Attorney	Does the Library have its own attorney or does it share it with the City?		
Property Insurance	Who pays for the library's property insurance?		
Risk Management Insurance	Who pays for the library's risk management insurance		
Building	Who owns the building and property? Is there a lease agreement if the library doesn't own the building? Who is responsible for maintenance and repair?		
Health Insurance	Who is paying for the employee health insurance? Who manages it, library or City?		
IMRF	Who manages the IMRF and levies for it?		
Vehicle	Who owns the vehicle and who is paying for the insurance and upkeep?		
Budget Process	What is the City's timeline for budget preparedness? What kind of fiscal reporting does the City require? What's the process for budget amendments?		
Landscaping & Snow Removal	Is the library a part of the City's landscaping & snow removal contract? Does the library have a shared services agreement with the City for these services?		
Utilities	What utilities is the City responsible for? Are there any franchise agreements in place for public utilities and how does this relate to the library?		
Historical Establishment of the library	When was the library established as a City Library? How was it established? Find meeting minutes or ordinance that describing the establishment and organization of the library.		
City/Municipal library ordinance	Is there a City or Municipal ordinance that explains the library function and authority? Is it consistent with the Local Library Act?		
Levy	Who does the library's levy? Does the City require a library levy document?		
Building and Maintenance Levy	Does the library levy a separate Building & Maintenance tax? If it is levied, is the library responsible for filings with the county clerk and legal publication?		
Budget appropriations	Who appropriates the library funds? Does the City include the library in their budget and appropriations ordinances?		
Tax rate	When does the library receive the tax rate for the library? Does the City calculate the		

	library's tax rate and submit it to the county on the library's behalf? Does the City extend home rule taxing power to the library? If you are non-home rule, what is your max tax-rate?		
Audit	Who does the library audit, the library or the City?		
City Council	Do you do a budget presentation before the City Council? What are the expectations of the library director to attend City Council meetings? Is there a liaison on the City or library staff who can help manage the relationship between the Library Board and City Council?		
Endowment or Foundation	Does the library have an endowment or foundation? Is it in any way affiliated with the City? How closely connected is the endowment or foundation with the library? What authority does the endowment or foundation have?		
Long Term Financial Plan	Does the library have a long-term financial plan? Is it shared with the City?		
Reserve Funds	Does the library have reserve funds for capital, building renewal, technology, etc.		
Personal Property Replacement Funds (PPRT) https://tax.illinois.gov/localgovernments/personal-property-replacement-tax.html	Does your library receive PPRT funds and are you receiving the correct amount?		
General Fund Policy	Does the library have a general fund policy, is it shared with the City?		
Finance Assistance	Does the City finance director assist the library with its financial obligations (paying invoices, payroll, etc.)? Does the library have an IGA with the City to provide these services?		
HR Assistance	Does the City human resources director assist the library with employment-related issues? Does the library have a personnel policy/employee handbook? It is important to remember that the library's employees are <u>not</u> City employees. Does the library have an IGA with the City to provide these services?		

RELATIONSHIP BUILDING- BEST PRACTICES

Building a good relationship with your City administration is a good way to find answers to questions, build dialogue, clear misunderstandings, create strong communication, establish fiscal responsibility opportunities and finally, have a successful and impactful library that will provide the best service to the community.

Below are just 10 best practices to make this happen:

- 1.) Meet with the City Manager in the first few weeks as a City Library Director. Be prepared to share your goals as the new director, ask what the City Manager would like to see from the library, open a dialogue and voice that you want to work together to make the City a success. Ask about the City's strategic priorities, and whether they include the library.
- 2.) Meet with all Department Heads, Police, Fire, HR, Public Works, Finance, Communications, and any others that the City you are working for employs. Introduce yourself, explain why you took the position, what your goals are and how can you help them with their department goals and ask what their department does, if anything, for the library that you should be aware of.
- 3.) Ask the City Manager if they would want to see your monthly board packet in order to keep abreast with the happenings of the City library.
- 4.) Onboarding of City Council members. Ask the City Manager what you can do to help orientate the Mayor and City Council Members with the library.
- 5.) Welcome new City Department Heads and recognize outgoing Department Heads, when it is appropriate to do so.
- 6.) Attend City Council meetings, if the City Manager and Library Board President feel it is appropriate to do so. With many city council meetings being recorded, make it a habit to pay attention to the council agendas and review recordings if topics affect the library.
- 7.) Share all strategic plans and visions plans with the City Manager.
- 8.) If possible, create a Memorandum of Understanding (MOU) or Intergovernmental Agreement (IGA) to outline the roles that the City and library will have in the operations of the library organization.
- 9.) Engage the City Manager and Council in any events, celebrations, etc. that the library does.
- 10.) Make certain that the community understands the role of the library within the City. It is not a department, it is a unit of government, and the library employees are employees of the library, not the City.

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