



South Milwaukee Library
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SOUTH MILWAUKEE PUBLIC LIBRARY LIBRARY BOARD BY-LAWS

Updated: 6/23/2025

ARTICLE I IDENTIFICATION

The name of this organization is the Board of Trustees of the South Milwaukee Public Library (the Board), located in the City of South Milwaukee, Wisconsin, existing by virtue of the provisions of Chapter 43 of the Wisconsin State Statutes, and exercising the powers and authority and assuming the responsibilities delegated to it under said statutes.

ARTICLE II BOARD OF TRUSTEES

Section 1. Number and qualification. The governing body of the library is composed of seven (7) members (board members) who are appointed by the Mayor and confirmed by the Common Council of the City of South Milwaukee.* One member of the seven must be the school district administrator or the administrator's designee.** One member of the Friends of the South Milwaukee Library may become a non-voting member of the Board of Trustees through a majority vote of the Board of Trustees at a regular meeting. This potential appointment can participate in open meeting discussions only. The term will be for one year with a maximum of two additional one-year terms by the same individual.

Section 2. Term of office. The term of office is three (3) years. The terms are staggered and end on June 30th. Two new appointments are made each year. There will be no limit to the number of terms a board member may serve. Board members must be sworn in by the City Clerk at the renewal of the term or appointment to the Board.

Section 3. Residency requirement. Any board member who moves out of the City of South Milwaukee is responsible for notifying the Library Director. Upon receipt of such notification, the position shall be declared vacant. It shall be the duty of the Library Director to notify the appointing official of the vacancy.

Section 4. Absences. Whenever a board member is unable to attend a scheduled board or committee meeting they must contact the Library Director to ensure that their absence is excused. If the notification is not received, it shall be considered an unexcused absence. When any board member fails to attend three consecutive meetings, it shall be grounds for the Board to discuss the situation with the board member to consider asking for his/her resignation. The Board will take into account extenuating circumstances.

ARTICLE III OFFICERS

Section 1. Officers. The officers shall consist of a president, a vice president and a financial secretary, elected from the appointed board members at the annual meeting of the Board. An officer may succeed him/herself. No board member shall hold more than one office at a time. Vacancies in an office shall be filled by a vote at the next regular meeting of the Board after the vacancy occurs.

Section 2. Terms. Officers shall serve a term of one year from the annual meeting at which they are elected and until their successors are duly elected. No member shall be eligible to serve more than two consecutive terms in the same office.

Section 3. Duties of the President. The president shall preside at all meetings of the Board, authorize calls for any special meetings, appoint committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees except the nominating committee, co-sign all checks drawn on funds held in custody of the library (independently of the municipality) and perform such duties as generally associated with the office.

Section 4. Duties of the Vice President. The vice president, in the absence or disability of the president, or of a vacancy in that office shall assume and perform the duties and functions of the president.

Section 5. Duties of the Financial Secretary. The financial secretary shall co-sign all checks drawn on funds held by the library (independently of the municipality), sign all vouchers for disbursements from the library fund, and perform such duties as generally devolve upon the office. The financial secretary shall be bonded in an amount as may be required by a resolution of the Board, and not less than the value of any property held by him or her.

Section 6. Nominating Officers. Nominations of officers will take place at the meeting prior to the annual meeting. Additional nominations may be made from the floor at the annual meeting.

ARTICLE IV MEETINGS

Section 1. Meeting times. The regular meeting shall be held each month, date and hour to be set by the Board at its annual meeting, but may be subject to change during the year subject to a majority approval of the Board.

Section 2. Open Meetings Law. All board meetings and all committee meetings shall be held in compliance with Wisconsin's open meetings law (Wisconsin Statutes Sections 19.81 to 19.98).

Section 3. The annual meeting. The annual meeting, which shall be for the purpose of the election of officers, shall be held at the time of the regular meeting in June of each year.

Section 4. Agenda. The library director shall prepare a draft agenda for the president. The president will be responsible for approving the final agenda.

Section 5. Special meetings. Special meetings may be called by the library director at the direction of the president, or at the request of other board members for the transaction of business as stated in

the call for the meeting. Except in cases of emergency, at least 48 hours notice shall be given. In no case may less than two hours notice be given.

Section 6 Committee meetings. All board members may attend any library committee meeting.

Section 7. Notification. Appropriate and legal notification for board meetings and other legally required notices are posted as follows:

- City hall
- Library bulletin board
- Board members
- City Administrator
- Mayor
- Common Council Representative
- Newspapers
- Organizations and individuals who request to receive printed notification will be charged the cost for photocopying and postage

Meeting notices shall indicate the time, date and place of the meeting and indicate all subject matters intended for consideration at that meeting.

Section 8. Minutes. Minutes of all meetings shall, at a minimum, indicate board members present, all items of business, all motions (except those that were withdrawn), and the result of all votes taken. Current board minutes shall be posted on the library website and available in print by request.

Section 9. Quorum. A quorum for the transaction of business at any meeting shall consist of four (4) board members present in person. In the event there is a lack of a quorum, the board members may meet as a committee of the whole. Any votes taken will be considered as a recommendation to the Board when a quorum of the Board is present. The president shall declare that there is not a quorum present at the start of the meeting and then convene the meeting as a committee of the whole. When a quorum is reached, the Board needs to vote on all action items taken up to that point.

Section 10. Conduct of a meeting. The president shall conduct the meeting. Robert's Rules of Order will be used as a guide. All board members shall have an opportunity to speak. Although not required, the Board may set aside a portion of an open meeting as a public comment. According to the Wisconsin Open Records Law, the Board may discuss any issue that is brought up in the public comment portion of the meeting. It is, however, recommended that action be deferred until proper notice is given of the action.

Section 11. Meeting Accommodations/Special Circumstances. Telephone and video conference calls among members of a governmental body fit within the definition of "meeting" subject to the Wisconsin Open Meetings Law. 69 Op. Att'y Gen. 143 (1980). A telephone or video (Zoom or similar mass-use technology) conference call or meeting is acceptable as long as the appropriate notice is given and the conference call/meeting is made reasonably accessible to the public. It is the Board's expectation that members of the Board attend meetings in person, but when unavoidable they may participate in Board meetings via conference call/video as long as the meeting is properly noticed, and remote participation is conducted using technology that allows all those physically present at the meeting to hear any comments made by the non-attending participants, and allows those participants to hear what is being said by those physically present. In addition, when the health and safety of Board members (and possible attending members of the public) are put at risk by meeting in person, the Board President may move a scheduled meeting to technology-based communication where all Board

members meet remotely. The notice of this type of meeting will be provided in the regular posting that announces the meeting.

ARTICLE V COMMITTEES

Section 1. Standing Committees. The president may appoint the following committees and have the responsibilities noted in the Board's policy manual. The committees are: Finance and Personnel, Building, and Legislation and Technology. The entire board will discuss policy issues.

Section 2. Ad Hoc Committees. Ad Hoc committees will be appointed by the president and will serve until the final report of the work for which they are appointed has been filed. Ad Hoc committees may also include staff representatives.

Section 3. Committee reports. If a committee has been formed, the committee shall make a progress report to the Board at each of its meetings.

Section 4. Committee powers. Committees will have advisory powers, unless, by action of the Board, it is granted specific power to act.

ARTICLE VI DUTIES OF THE COMMITTEES

Section 1. Finance and Personnel Committee. Responsible for reviewing and approving monthly bills, reviews and approves the budget for submission to the Board, reviews the audit, hears grievances as outlined in the Civil Service Personnel Manual, and approves job descriptions.

Section 2. Building Committee. Responsible for the library building, equipment, and grounds. Reviews specifications, opens bids and reports recommendations to the Board.

Section 3. Legislation and Technology. Responsible for keeping abreast of current legislation and technology and reporting to the Board in these areas. The committee reviews specifications and requests for new technology to be installed in the library.

ARTICLE VII DUTIES OF THE BOARD OF TRUSTEES

Section 1. Policy. Legal responsibility for the operation of the South Milwaukee Public Library is vested in the Board of Trustees. Subject to state and federal law, the Board has the power and duty to determine rules, policies, and regulations governing library operations and services.

Section 2. Personnel. Select, appoint and supervise a properly certified and qualified library director, and determine the duties and compensation of all library employees.

Section 3. Financial. Advise in the preparation of the budget, approve the budget, and advocate for adequate funds to finance the approved budget.

Section 4. Building and Grounds. Through the library director, supervise and maintain the building and grounds as well as regularly review various physical and building needs to see that they meet the requirements of the community.

Section 5. Legislation. Study and support legislation that will bring about the greatest good to the greatest number of library users.

Section 6. Cooperation. Cooperate with other public officials and boards and maintain vital public relations.

Section 7. Technology. Through the library director, keep abreast of the latest technology available for delivering library service and information to the user.

Section 8. Annual Reports. Review and approve the annual report required by the Department of Public Instruction and also submit an annual report to the Mayor, Common Council and the community.

ARTICLE VIII LIBRARY DIRECTOR

The library director shall be the ex-officio secretary of the Board and shall be non-voting. The ex-officio secretary shall keep a true and accurate record of all meetings of the Board and committees, shall issue notices for regular and special meetings of the Board and Board committees, and shall perform such other duties that are generally associated with that office. The library director shall also be the ex-officio disbursing officer of the Board with the authority to sign all checks and vouchers approved by the Board.

The library director shall have sole charge of the administration of the library under the direction and review of the Board. The library director shall be held responsible for the care of the building and equipment, for the employment and direction of the staff, for the efficiency of the library's services to the public, and for the operation of the library under the financial conditions set forth in the annual budget.

ARTICLE IX MILEAGE AND EXPENSES

Board members shall not be reimbursed for actual mileage to attend board meetings at the South Milwaukee Public Library.

ARTICLE X RECORDS

The official records of the proceedings of the Board shall be kept in the library director's office and shall be open to the public for inspection and examination during normal business hours.

ARTICLE XI CONFLICT OF INTEREST

Section 1. Financial interest. Board members may not in their private capacity negotiate, bid for, or enter into a contract with the South Milwaukee Public Library in which they have a direct or indirect financial interest.

Section 2. Withdraw. A board member shall withdraw from Board discussion, deliberation, and vote on any matter in which the board member, an immediate family member, or an organization with which the board member is associated has a substantial financial interest.

Section 3. Value. A board member may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

ARTICLE XII GENERAL

Section 1. Approval of action items. An affirmative vote of the majority of all board members present at the time shall be necessary to approve any action item before the Board. The president may vote upon or second proposals before the Board.

Section 2. Suspension of the by-laws. Any rule or resolution of the Board, whether contained in these by-laws or otherwise, may be suspended temporarily in connection with the business at hand, but such suspension, to be valid, may be taken only at a meeting at which five (5) board members shall be present and four (4) of those present shall so approve.

Section 3. Amendment of the By-Laws. These by-laws may be amended at any regular meeting of the Board by a majority vote of all board members provided that written notice of the proposed amendment shall have been mailed or emailed to all board members at least 10 days prior to the meeting at which such action is proposed to be taken.

These by-laws will be in force upon adoption by the Board of Trustees of the South Milwaukee Public Library on the twentieth day of November, 1990, amended on July 13, 1999, amended on February 26, 2008, amended on April 19, 2016, and amended on August 25, 2020.

*South Milwaukee as chosen to be a city of the fourth class and therefore has seven board members.

**According to the Division for Libraries, Technology and Community Learning the school administrator or his designee does not need to be a resident of South Milwaukee. The intent of the statutes is that the designee is employed by the school district.