

Nashville Public Library Board of Trustees
Minutes
April 20, 2021
WebEx – 12:00 noon

Members Present: Keith Simmons, Kate Ezell, Robert Oermann, Joyce Searcy, Katy Varney

Library Staff: Kent Oliver, Bernadette Hugan, Stephanie Rodriguez, Terri Luke, Lee Boulie, Jena Schmid, Susan Drye, Larry Jirik (WebEx Support), Corey Frederick

Others: Derrick Smith, Assistant Metropolitan Attorney at Metropolitan Government of Nashville and Davidson County, Shawn Bakker, Nashville Public Library Foundation President, Anne-Leslie Owens Metro Arts Commission

I. Call to Order / Roll Call

Keith Simmons called the meeting to order at 12:03 PM.

II. Metro Ordinance required to be announced at all Board Meetings – *Chair, Keith Simmons*

“Pursuant to the provisions of § 2.68.030 of the Metropolitan Code of Laws, please take notice that decisions of the Nashville Public Library Board may be appealed to the Chancery Court of Davidson County for review under a common law writ of certiorari. Any appeal must be filed within sixty days after entry of a final decision by the Board. Any person or other entity considering an appeal should consult with an attorney to ensure that time and procedural requirements are met.”

III. Motion to Approve Conducting Meeting by Electronic Means and Suspending Rules

I move that the items on the meeting agenda constitute essential business of this Board, meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans considering the COVID-19 outbreak, and any rule that conflicts with Governor’s Executive Order 16 permitting electronic meetings be suspended.

Robert Oermann moved to approve conducting the meeting by electronic means and suspending rules; the motion was seconded by Kate Ezell and passed unanimously.

IV. Approval of Minutes: March 16, 2021

Mr. Oermann moved for approval of the minutes from the March meeting; the motion was seconded by Ms. Ezell and passed unanimously.

V. Library Director Report, *Kent Oliver*

- a. Kent Oliver commented on the success of Mr. Oermann's book, *Dolly Parton, Songteller: My Life in Lyrics*, which was co-authored by Dolly Parton.
- b. Mr. Oliver noted the basic nature of the statistics presented in the Board packet. As people return to library facilities for in-person service, these statistics will be expanded to resemble pre-pandemic data sets, including additional door count figures.
- c. Previously frozen positions are being posted for hiring, and interviewing is being done as quickly as possible. Current staff, who receive promotions, will leave additional vacancies to fill.
- d. Mr. Oliver stated that he had no news concerning the NPL budget and that there had been no news regarding Mayor Cooper's comments about property taxes. There is no official word on how this might or might not impact this year's budget.
- e. NPL's budget hearing is scheduled for May 20 at 4:30 PM. He encouraged all Board members to attend the hearing, but he had no information about the hearing being held in-person or via WebEx.
- f. Ms. Ezell noted that NPLF's Carnegie Society Book Club will also be held on May 20.
- g. Mr. Oliver stated that NPL's hearing will have a time limit, so it should be over quickly. NPL highlighted its curbside and virtual services through a video created by Production Services and NPLF. Mr. Oliver noted that the video was sent the Board members, and he wanted it to be entered into the official record. Mr. Oliver showed "A Day in the Life", which can be found at <https://www.youtube.com/watch?v=UXQhHguAeNo>.
- h. Katy Varney praised the video's editing.
- i. Mr. Oliver stated that he really enjoyed the video.
- j. Ms. Ezell celebrated the video as well. She asked about an article for *Governing Magazine* that Mr. Oliver had sent the Board.
- k. Mr. Oliver explained that the article spoke about the America Rescue Plan and how public libraries are pursuing it for additional funding. NPL's taskforce, headed by Lee Boulie, is currently assessing different NPL programs that may apply to these funds. With the discussion turning to NPL's reopening of branches, Mr. Oliver explained that the Hermitage and North Branches are scheduled to reopen next. However, each location is dealing with staffing or building repairs.
- l. Terri Luke added that those two locations are scheduled to open on April 28. The Hermitage Branch is currently having its ceiling repaired, and the North Branch is waiting to fill a

Library Associate vacancy. The Bellevue and Green Hills Branches are scheduled to open on May 12.

- m. Mr. Oermann asked about the amount of vacancies posted for hire.
- n. Mr. Oliver indicated that positions are being posted every few days. He commented on the effects of promoting from within; the system is still left with vacancies.
- o. Susan Drye added that position postings are for multiple positions at one time. Several hiring managers may select candidates from the same applicant list.
- p. Joyce Searcy asked about NPL funding at the state-level.
- q. Mr. Oliver noted that representatives from public libraries in Nashville, Memphis, Chattanooga, and Knoxville have been working to obtain additional funding for collections from the state. When COVID hit, the governor had agreed to put funding in the budget for Tennessee's urban libraries. This funding was taken out of last year's budget due to government woes. On Tuesday, Mr. Oliver was alerted that an Administrative Amendment was created to revive this funding for urban libraries. If the amendment passes, the libraries will receive a one-time gift of \$1.5 million and \$1.5 million in permanent funding. Mr. Oliver stated the group is waiting to see if the amendment passes, and he is hopeful that it will pass.
- r. Ms. Ezell asked if there was a state-level library department.
- s. Mr. Oliver confirmed that there is, and the Tennessee State Library and Archives is under the Tennessee Secretary of State. The state library manages regional library systems throughout the state and administers a number of state and federal grants. The American Rescue Plan funding will be administered through the state library.
- t. Mr. Simmons credited Mr. Oliver and representatives from the other Tennessee urban libraries for this additional funding.
- u. Mr. Oliver recognized Director of Memphis Public Libraries Keenon McCloy, Executive Director of Chattanooga Public Library Corinne Hill, and Knox County Public Library Director Myretta Black for their work on the amendment.

VI. Nashville Public Library Foundation Report, *Shawn Bakker*

- a. Shawn Bakker explained that NPLF's recent focus has been on advocacy work, which centered around National Library Week at the beginning of April. She explained that the "A Day in the Life" video was released on April 6 to celebrate National Library Workers Day. NPLF observed Library Giving Day on April 7 and raised over \$15,000. One third of the donors, who donated to NPLF on Library Giving Day, were new donors. Ms. Bakker noted

the increased appreciation for library services throughout the pandemic and explained the direct correlation between library appreciation and donors. NPLF promoted Library Advocacy Day on April 8. The organization focused on three advocacy points. The first point was for NPL to be allowed to fill 50 frozen staff positions. These positions were unfrozen, and hiring has begun. The second point was to ensure \$4 million for NPL's collections budget. NPL does not currently receive a consistent amount of funds for collections, and the advocacy push was to make this funding more consistent. With the collections budget being derived from 4% funding, it is difficult for NPL to plan collections purchases. Ms. Bakker also noted that among urban libraries, Nashville is underfunded in terms of collections. The third advocacy point was to continue curbside at four locations by adding ten positions. The current plan is to have the Bellevue, Bordeaux, Edmondson Pike, and Green Hills Branches continue curbside, and each of these locations would need additional staffing for the service. If Library Board members are interested in more information about this advocacy push, Ms. Bakker asked them to reach out to her. She thanked Ms. Ezell and Ms. Varney for their help guiding this process. She encouraged Board members to let her know if anything needs to be added to these efforts. She requested that Board members sign up to contact council members soon. She indicated that NPLF would like to have a hard advocacy push to council over the next two weeks.

- b. Mr. Oliver does not anticipate that the Mayor's budget will be released until another week or so. Mr. Oliver emphasized the importance of getting the message out concerning NPL's needs. He mentioned the council budget questionnaire that was recently sent. The document asks Metro departments about budget items that were submitted to the Mayor's Office but did not receive the Mayor's recommendation. NPL submitted several budget improvements, but the Mayor will not fund all of them. The council sent the same questionnaire to Metro departments last year, and it gives the council a broader understanding of budget requests. He stated that NPL has requested over the last few years for collections to be added to the operating budget. The biggest obstacle is the budget flexibility that comes by having it as part of 4% funding. If \$4 million for collections were moved to NPL's operating budget, NPL would immediately have an increase of \$4 million. He explained the optics of such an increase could be a problem.

VII. Board Elections

- a. Mr. Simmons stated that he would not stand for reelection as Board Chair. He opened the floor for nominations.
- b. Mr. Oermann nominated Ms. Searcy to be elected as Board Chair; the nomination was seconded by Ms. Varney and the election passed unanimously.
- c. Mr. Simmons noted his appreciation for the opportunity to serve as Board Chair and remarked that he was happy to pass the baton to someone who will do a great job.
- d. Ms. Searcy thanked the Board for their confidence in her to serve as Board Chair.
- e. Ms. Searcy nominated Ms. Varney to be elected as Board Vice Chair; the nomination was seconded by Mr. Oermann and the election passed unanimously.
- f. Mr. Simmons commented about how Mr. Oermann does a great job serving as Board Secretary.
- g. Mr. Simmons nominated Mr. Oermann to be re-elected as Board Secretary; the nomination was seconded by Ms. Varney and the re-election passed unanimously.
- h. Mr. Oermann thanked the Board members.
- i. Mr. Simmons stated that all Board members are passionate about the library and that it has been a pleasure to serve on the Board for many years.
- j. Mr. Oliver noted that Mr. Simmons's term on the Board will end in one year.
- k. Ms. Varney thanked Mr. Simmons for his work with the NPL and NPLF Boards. She stated that he has been the best chair out of any board on which she has served. She mentioned how he has always been a calm voice and has always provided a clear direction for everyone on this Board. She recognized that her involvement in the NPL and NPLF Boards was due to Keith and Kay Simmons.
- l. Ms. Searcy stated that the Board still needs Mr. Simmons as a member. She appreciates his questions and has learned a great deal by watching him serve as Board Chair.
- m. Mr. Oliver echoed all that was said thanking Mr. Simmons, noting how often he had called him for invaluable advice.
- n. Mr. Simmons stated that his time serving on the NPL and NPLF Boards has been tremendously rewarding.

VIII. New Business

- a. **Metro Arts Lending Library, *Caroline Vincent & Anne-Leslie Owens***
 - i. Mr. Oliver spoke about a presentation from a previous Board Meeting about NPL's partnership with Metro Arts to create a lending library. NPL staff has continued working

with Metro Arts on this project. The following presentation and MOU will move the project forward.

- ii. Anne-Leslie Owens thanked NPL and the NPL Board for the longstanding partnership between NPL and Metro Arts. Ms. Owens presented the final design update concerning the art lending project. A panel including Bellevue Branch Manager Katherine Bryant reviewed applications and artworks to eventually select 60 artworks for this project, which will be part of Metro Arts' permanent collection. Ms. Owens outlined the diversity in the group of artists who were selected for the project. Twenty-four of 35 council districts are represented by the artists, and 92% of the artists had not previously received Metro Arts funding. She continued by relating the process for displaying the art at the Madison and Southeast Branches. Art will be installed with safety and security in mind using a three-point mounting system and many will be protected by acrylic sheets. Signage at the Madison Branch will be displayed in English and Spanish, while the signs posted at the Southeast Branch will be in English, Spanish, Kurdish, and Arabic. At the Madison Branch, artwork will be installed on the wall behind the circulation desk. At the Southeast Branch, artwork will be displayed in the meeting room as well as on A-frame units. Instructions on how to use the art lending library will be displayed prominently near the artwork.
- iii. Mr. Oermann asked if the pieces on display could be checked-out.
- iv. Ms. Owens affirmed that they would. Identification labels will accompany each artwork displayed. Graphic film with an image of each artwork will be permanently installed to show artwork that has been checked-out. This film will be professionally installed by Jarvis Signs and has an expected life of 10 years. Each framed work of art will be designed for hanging and a simple wire frame can be used at home. Protective cases, which will be purchased soon, will be provided to customers when artwork is borrowed. Metro Arts hopes to have the display wall at the Southeast Branch painted soon, and they are currently working with a group on translating signage. Metro Arts is also in contact with Jennifer Fournier about repurposing A-frame display units. They are also discussing information sheets and the best way to display them with artwork. NPL's catalog as well as the Metro Arts website will depict the artwork available through the program. Installation is planned for late May or early June, with a dedication event happening in mid-summer. Metro Arts will evaluate the program at the end of one year. The project

- could expand to additional locations in the future. Ms. Owens explained if artwork becomes damaged, it may be deaccessioned.
- v. Ms. Ezell asked about customers not returning artwork.
 - vi. Ms. Owens stated that her research of similar projects at public libraries determined that this has not been a problem. The value of these artworks was maximized at \$700 with most of them ranging from \$300-\$500. Customers will be able to borrow materials for a period of three months with the possibility of one renewal.
 - vii. Ms. Searcy asked about any concerns with artwork being used for business purposes.
 - viii. Ms. Owens replied that as long as the customer borrows the artwork, there are not any concerns with this possibility. Customers may check-out one piece of art at a time.
 - ix. Mr. Oliver explained that this program was a throwback to similar art lending programs from the mid-1900s. What is so interesting about this project is that NPL and Metro Arts are using artwork from local artists with local appeal. The artwork shows the diversity in the community.
 - x. Ms. Owens commented that she hopes the program will help people become interested in collecting local art from local artists.
 - xi. Mr. Oliver was not as optimistic about losing art, but he will review statistics as the program progresses.
 - xii. Ms. Owens noted that she found in her research many times where only frames were damaged.
 - xiii. Mr. Simmons asked how much money went to the artists and how they were chosen.
 - xiv. Ms. Owens stated that Metro Arts paid \$26,000 for this collection. The organization put out a call for artists and over 80 artists submitted art for purchase. The review panel met and looked at all the information submitted by the artists and their artworks. The panel then selected these 60 artworks.
 - xv. Mr. Simmons commended the project and how it provides financial backing to the artistic community.
 - xvi. Ms. Owens noted how this year has been especially difficult for artists and that the money used to purchase the artwork was from the Metro Arts budget.
 - xvii. Ms. Luke commented on how much NPL has enjoyed working with Metro Arts. If NPL had a question or idea, Metro Arts embraced it, making the whole process easy.
 - xviii. Ms. Owens thanked Ms. Luke and indicated that this would be a long-term partnership.
 - xix. Ms. Ezell asked about how many libraries around the country have similar programs.

- xx. Ms. Owens stated that several libraries have similar programs but not necessarily the same model. She focused her research on public libraries and recognized the art lending program at the Brentwood Public Library, which is run through their Friends group.
- xxi. Ms. Ezell thanked Ms. Owens for involving NPL in this project.

b. Metro Arts Lending Library MOU, *Terri Luke and Lee Boulie*

- i. Ms. Luke credited Ms. Boulie for writing the MOU. The agreement lays out the partnership between Metro Arts and NPL by which NPL is provided with 60 artworks for lending at the Madison and Southeast Branches. Metro Arts selected these locations to serve customers, who may not have an opportunity to purchase art. NPL and Metro Arts will consider reviewing the MOU annually and revisit the possibility of adding new locations.
- ii. Ms. Searcy moved for approval of Resolution 2021-04.01; the motion was seconded by Ms. Ezell and passed unanimously.

Nashville Public Library
Board
04/12/21

Resolution Title: Metro Arts and Nashville Public Library Arts Lending Library MOU

History/Background/Discussion:

Nashville Public Library and Metro Arts MOU states that the two departments will work in conjunction to pilot a Metro Arts purchased Art WORKS Collection of 60 artworks by Nashville artists via an Arts Lending Library program at two NPL regional branches, Southeast and Madison.

The MOU will last for one year and will be reviewed annually.

Recommendation: The Board approves the proposed MOU.

Draftor(s): Terri Luke, Lee Boulie

Person(s) Responsible for Implementation: Terri Luke, Lee Boulie

RESOLUTION 2021-04.01

Metro Arts and Nashville Public Library Arts Lending Library MOU

WHEREAS, Nashville Public Library and Metro Arts have a successful and important collaboration in the Art WORKS Art Lending Library program, and

WHEREAS, Nashville Public Library seeks to continue the prosperity of this collaboration:

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Nashville Public Library Board of Trustees endorses the Memorandum of Understanding between NPL and Metro Arts.

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE METROPOLITAN NASHVILLE ARTS COMMISSION
AND
THE NASHVILLE PUBLIC LIBRARY**

This Memorandum of Understanding (hereinafter the “**Agreement**”) is made and entered into this the ____ day of ____ 2021 (hereinafter the “**Effective Date**”), by and between the Metropolitan Nashville Arts Commission (hereinafter “**MNAC**”) and the Nashville Public Library (hereinafter “**NPL**”).

WITNESSETH:

WHEREAS, MNAC has collaborated with NPL to incorporate public artwork into the library’s circulating collection at the Madison and Southeast Branch Libraries for the purposes of an “**Art Lending Library**,” (hereinafter, the “**Project**”); and

WHEREAS, NPL has agreed to include artworks in its circulating collection; and

WHEREAS, MNAC has purchased sixty (60) wall-hung artworks for the Project from the following Nashville and Davidson County artists: Alex Kimball, Alison Moore, Amadeo Lasansky, Amanda Brown, Amanda Downs, Andrés Bustamante, Anna Claire Wert, Anna Martin, Ashley Mintz, Ashley Seay, Brenda Buffett, Christopher Cheney, Christopher Wormald, Courtney Spencer, David Greaves, David Onri Anderson, Doris Wasserman, Edie Maney, Eileen Tomson, Elisheba Mrozik, Elizabeth Ross, Emily Cathcart, Eric Peters, Erin McDermott, Gwil Owen, Harry Whitver, John Paul Kesling, Jonathan Todd Greene, Jordan Carpenter, Katie Harbison, Kay Sawyer, Kayla Jenkins, Kaylea Dunkin, Kimiko Sakai, Laura Hudson, Lindsay Davis, Marla Faith, Martica Griffin, McLean Fahnestock, Micah Mathewson, Michael Mkar, Mildred Jarrett, Miriam Speyer, Nadine Shillingford Wondem, Nikkita Staggs, Nuveen Barwari, Olga Alexeeva, Pam Marlene Taylor, Patrick Vincent, Raheleh Filsoofi, Rami Singh Bell, Rebecca Mullen Hunter, Ren

Harvey, Ripley Whiteside, Sarah Arace, Shahnaz Lighari, Thandiwe Shiprah, Valentina Harper, Vesna Pavlovic, and Yanira Vissepo; and

WHEREAS, MNAC has contracted with art handler, Art Up Nashville, for site-specific display design, artwork installation and display maintenance; and

WHEREAS, MNAC has submitted schematic drawing of the proposed Artwork and Design attached as **Exhibit A** agreed to by the parties; and

WHEREAS, NPL has developed a loan policy for the artworks attached as **Exhibit B** agreed to by the parties; and

WHEREAS, MNAC and NPL desire to enter into an Agreement to set forth the parties' rights and obligations regarding the Project.

NOW, THEREFORE, for mutual consideration, the receipt of which is hereby acknowledged, and in consideration of these facts, MNAC and NPL agree as follows:

SECTION 1 – DEFINITIONS

- A. The term “**Artwork**” as used in this Agreement shall mean the sixty (60) wall-hung artworks created by the following Davidson County artists:
- B. The term “**Display**” as used in this Agreement shall mean the library walls and free-standing rolling walls with signage and graphics used to display the Artwork at Madison and Southeast branch library locations.
- C. The term “**Checkout Case**” as used in this Agreement shall mean the case for transporting the artwork outside of the library.

SECTION 2 – RESPONSIBILITIES OF MNAC

- A. MNAC is responsible for acquisition of the Artwork and payment directly to the artists.
- B. MNAC is responsible for creation of the schematic drawings of the Display.
- C. MNAC is responsible for painting the Community Room's south wall at Southeast branch library and is responsible for repainting the wall to its pre-Project color should the parties decide to end the Project.
- D. MNAC is responsible for framing, delivery, and installation of Artwork per agreed upon schematic drawings of the Display.
- E. MNAC is responsible for acquisition and delivery of Checkout Cases.

- F. MNAC owns the Artwork, Display, and Checkout Cases and is responsible for their maintenance. MNAC will work with NPL in good faith to coordinate any maintenance activity.
- G. MNAC is responsible for adding the Artwork to the Metro Fine Arts Renewal Policy

SECTION 3 – RESPONSIBILITIES OF NPL

- A. NPL is responsible for the daily administration of the Project once launched and Artwork is available to the public to check out. NPL is responsible for assisting library patrons with checking out and returning artwork.
- B. NPL is responsible for noting Artwork, Display, and Checkout Case conditions that require repair or replacement and pulling them out of circulation.
- C. NPL is responsible for providing photos and conditions report for damaged Artwork and reporting lost Artwork to MNAC.
- D. NPL is responsible for assessing charges for damaged or lost Artwork according to the Loan Policy and transferring those funds to MNAC.

SECTION 4 – OWNERSHIP OF THE ARTWORK

MNAC shall own the Artwork, Display, and Checkout Cases, and maintain them as provided herein. In the event that MNAC fails to properly maintain the Artwork, Display, and Checkout Cases, NPL shall provide MNAC sixty (60) days' written notice of said failure and a reasonable time frame by which to cure such maintenance concerns. If MNAC, at its sole expense, fails to cure as reasonably set forth in NPL's notice, NPL may, in its sole discretion, pull the Artwork from circulation and give sixty (60) days' written notice to MNAC to require MNAC to remove the Artwork, Display, and Checkout Cases. If NPL requests removal of the Artwork due to MNAC's failure to cure as set forth herein and MNAC fails to do so, then NPL may remove the Artwork and MNAC shall reimburse NPL all the costs thereof within sixty (60) days' written notice thereof. In the event MNAC chooses to remove the Artwork for any reason, MNAC will notify NPL of its intention to remove the Artwork at least ninety (90) days prior to any removal.

SECTION 5 - NOTICES

All notices under this Agreement shall be in writing and sent by certified mail or hand delivered to the address listed below for each party:

Metropolitan Nashville Arts Commission

Attention: Caroline Vincent, Executive Director
PO Box 196300
Nashville, Tennessee 37219-6300

Nashville Public Library
Attention: Kent Oliver, Executive Director
615 Church Street
Nashville, Tennessee 37219

SECTION 6 - MISCELLANEOUS PROVISIONS

This Agreement shall not in any way be construed or intended to create a partnership or joint venture between the parties. None of the parties to this Agreement shall hold itself out in any manner contrary to the terms of this Agreement and no party shall become liable for any representation, act or omission of any other party contrary to the terms of this Agreement.

No waiver of any provision of this Agreement shall affect the right of either party to thereafter enforce such provision or to exercise any right or remedy available to it in the event of any other default.

Neither MNAC nor NPL may assign its rights or delegate its responsibilities under this Agreement without the prior written consent of the other.

This instrument contains the entire Agreement between MNAC and NPL. Oral changes of this Agreement shall have no effect. This Agreement may be altered only by a later written agreement signed by both parties.

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

METROPOLITAN NASHVILLE ARTS COMMISSION

Caroline Vincent, Executive Director

APPROVED AS TO FORM AND LEGALITY:

MNAC Attorney, Derrick Smith

Date: _____

NASHVILLE PUBLIC LIBRARY

Authorized Signature

Kent Oliver, Executive Director

Date: _____

APPROVED AS TO AVAILABILITY OF FUNDS:

Director of Finance

APPROVED AS TO RISK AND INSURANCE:

Director of Insurance

APPROVED AS TO FORM AND LEGALITY:

Assistant Metropolitan Attorney

IX. Adjournment

The meeting adjourned at 1:14 PM.

Next Scheduled Board of Trustees Meeting

May 18, 2021
Location: TBD

Respectfully submitted by Corey Frederick.