

LIBRARY BOARD MINUTES

September 17, 2019

12:00 p.m.

Main Library, 615 Church Street, Nashville, TN 37219

Members Present: Keith Simmons, Katy Varney, Charvis Rand, Joyce Searcy

Members Absent: Robert Oermann, Lucy Haynes, Adriana Bialostozky

Library Staff: Kent Oliver, Elyse Adler, Susan Drye, Jena Schmid, Terri Luke, Jenny Lane, Corey Frederick, Shawn Bakker, Lisa Bubert, Cassie Welch

Also Present: Alex Dickerson, Assistant Metropolitan Attorney at Metropolitan Government of Nashville and Davidson County, Steve Reiter

I. Call to Order / Roll Call

Keith Simmons called the meeting to order at 12:14 p.m.

II. Metro Ordinance required to be announced at all Board Meetings

“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. Introduce Visitors

Mr. Simmons recognized Steve Reiter.

IV. Approval of Minutes: July 16, 2019

Katy Varney moved for approval of the minutes from the July meeting; the motion was seconded by Joyce Searcy and passed unanimously.

V. Library Director Report—Kent Oliver, Library Director

- a. Kent Oliver discussed the transition in the Mayor’s Office, following the recent election. Once the transition is in place, Mr. Oliver will submit an update to the Mayor’s Office concerning the current library challenges that were discussed at the Library Board Retreat in August.
- b. Mr. Oliver spoke about current challenges with parking at the Main Library. Recently, the lot has seen increased usage due to construction of the adjacent federal courthouse and advertising. To deal with this issue, Mr. Oliver suggested scheduling Library Board Meetings out of the downtown area. Concerns from the Library Board were voiced about the impact on Main Library usage and program attendance. Mr. Oliver emphasized the need for a marketing approach targeting patrons living in the downtown area. Staff will begin

compiling data and the data will be analyzed to determine the best approach to confront the issue.

- c. Mr. Oliver recognized Shawn Bakker, President of the Nashville Public Library Foundation. Ms. Bakker discussed the Foundation's Executive Committee and the establishment of the organization's role with NPL. The Executive Committee is focused on the 4% fund for this fiscal year, since it could significantly impact NPL's budget. The committee plans to meet within the next month, and they are exploring ways to reach out to Metropolitan Council Members.
- d. Concerning fundraising, Ms. Bakker noted that there will be a fundraiser on September 27th that includes the musical group, Old Crow Medicine Show, and NPL's String City. Plans for the 2019 Gala are well underway, and the Foundation has begun discussing the 2020 Gala. Fundraising for the Votes for Women project is going well and is currently in the community fundraising phase.

VI. Staff Reports

a. eBooks, Kent Oliver

- i. On September 10th – 12th, the 2019 Digital Book World Conference was held in Nashville. NPL and American Library Association (ALA) used the opportunity to hold a press conference to encourage individuals to sign a petition aiming at MacMillan Publisher's library eBook embargo and its limiting of library eBook access. All are encouraged to sign and share the online petition (<https://p2a.co/fgcQkzV>).
- ii. To overcome the concern of not receiving enough signatures, ALA plans to promote the petition through various communication channels, and Mr. Oliver has recently emailed all NPL library card holders. The Urban Library Council is also working on combating this issue.
- iii. Legal action could be taken against MacMillan. However, the publisher may encourage legal action, since it could result in a review of copyright laws pertaining to all book formats.
- iv. Mr. Oliver explained how strongly he feels about the issue and discussed his belief that Nashville should take the lead on this issue. He has written an Op-Ed on the embargo for *The Tennessean* that will be published during the week of September 22nd – 28th for Banned Books Week.

b. Summer Reading Challenge Summary, Lisa Bubert and Cassie Welch

- i. Lisa Bubert, Children's Librarian at the Madison Branch Library and 2018 – 2019 Summer Reading Challenge Coordinator, introduced Cassie Welch who currently serves as the Children's Librarian at the Edmondson Pike Branch Library and will be the 2020 Summer Reading Challenge Coordinator.
- ii. Ms. Bubert highlighted the 2019 program accomplishments. Over 18 million minutes were logged city-wide by almost 19,000 total participants, and the program saw a 56% completion rate.

- iii. Three accomplishments from the program this year are: 1. Nashville read more minutes than ever before. 2. There was a large increase in participation for Listeners (ages 0-5). 3. Adult participation increased greatly.
- iv. Branch libraries were highlighted for various program-related accomplishments and the program's popularity was displayed by a number of social media posts.
- v. Ms. Bubert thanked NPL's Board, Assistant Director for Branch Services Terri Luke, and former Assistant Director for Branch Services Larry Price for their support of the program.
- vi. Ms. Welch explained that the Summer Reading Challenge Committee has begun planning for the 2020 Summer Reading Challenge.

VII. New Business

a. Update to Polling Place, Petitioning, and Political Campaign Policy Discussion,

Susan Drye

- i. Susan Drye discussed issues regarding the enforcement of the "Polling Place, Petitioning, and Political Campaign Policy" that was passed in March 2015. She noted that issues pertaining to early voting in recent elections have forced NPL to revise its current policy.
- ii. The updated policy as drafted contains more specific details on campaigning at library polling locations. Proposed changes to the policy are in red.
- iii. Alex Dickerson commented that the term "political" used in the policy is reviewed under strict scrutiny by the Supreme Court and using this term to limit signage content may inhibit 1st Amendment rights. He recommended the removal of "political" from the revised policy. Mr. Dickerson discussed how the policy can be used to limit sign location, a sign's physical attributes, and how long signs can be posted. He further suggested that the phrase "non-commercial speech" be added to the policy to prohibit commercial advertising.
- iv. Ms. Drye stated that by omitting "political" from the policy, individuals could place signs that directly oppose office seekers.
- v. Ms. Varney explained that she thought that omitting the term "political" posed more of a risk for NPL than leaving it in the policy.
- vi. Mr. Dickerson responded that the policy could be written to not allow any signs at all.
- vii. Ms. Searcy stated that the abundance of campaign signs is a problem at all polling locations.
- viii. Mr. Oliver expressed that NPL will work with the Parks and Recreation Department, since both departments have their own board-approved polling policies.
- ix. Mr. Simmons suggested that a uniform policy be used to govern Nashville Metropolitan polling locations. He voiced concern that whatever policy is adopted should be enforceable. The policy should prohibit voters and library patrons from being harassed and provide unrestricted access to library entrances.
- x. Mr. Oliver and Ms. Drye stated that recent campaign activities, such as providing food to voters, have created access and liability issues. Mr. Oliver explained that harassment, safety, and liability are the key issues at stake.
- xi. Charvis Rand noted that individuals should be able to vote at a library polling location without any inhibitions.

- xii. Ms. Varney supported the draft, noting that the policy as crafted meets everyone halfway and it explicitly addresses problematic issues. She recommended that once the policy is passed, NPL should communicate the new policy to all campaigns prior to elections.
- xiii. Ms. Drye assured Ms. Varney that the policy will be printed and given to every campaign before the next election cycle.
- xiv. Mr. Dickerson and Metro Legal will review the policy and bring suggested revisions to the Library Board Meeting in October.

Polling Place, Petitioning and Political Campaign Policy - DRAFT

Policy Information

Approved Date: March 20, 2015
Effective Date: March 20, 2015
Keywords: Polling Place Petitioning Campaign Voting Sites

Policy

Polling Place, Petitioning and Political Campaign Policy

**NASHVILLE PUBLIC LIBRARY
 LIBRARIES AS VOTING SITES POLICY**

GENERAL POLICY:

As an important public institution in our democratic society the Nashville Public Library is pleased to host election polling for Nashville and Davidson County at designated library locations. The library is committed to ensuring our community's access to library services and the safety of library users in our buildings and on library premises during polling.

Political campaign activity at polling locations does not supersede the public's right of unfettered access to public library services.

When the library is selected as an early, regular, runoff or fail safe voting site, the following policy will apply to all library locations and voting sites.

1. Organizations or individuals may not set up a booth, information table or collection/donation station, staffed or unstaffed, in a library facility or on library property. This includes, but is not limited to, voter registration booths, promotional or public service activities by organizations, food tables, services or stands. Groups or individuals may not distribute literature or other material except in accordance with this policy. Tents by campaign officials, staff or volunteers will not be allowed on library property. **The library will provide at early, regular, runoff or fail safe voting sites, one 10' x 20' library tent that all campaign volunteers may use and share. No other tents, large umbrellas, etc. are allowed.**

2. Political materials addressing individual candidates for public office or ballot issues may only be displayed in designated areas created in library facilities prior to an election. Space permitting, these areas will be determined by library managers at least sixty (60) days prior to an election. Any library location designated as an early, regular, runoff or fail safe voting site will have all political material removed prior to voting.
3. So that ALL who visit the library can use and enjoy library facilities, no use of amplifying devices are allowed. This includes but is not limited to bullhorns, speakers, microphones, loud music, etc.
4. Campaign or ballot issue signage may be posted on library property that has been designated an official voting site for early, regular, runoff or fail safe voting on the day(s) of an election.
 - A.) The number of signs allowed at any library location is limited to 4 signs per candidate. If more than 4 signs are placed, any number above the 4 will be removed.
 - B.) The library will designate areas(s) on the library property on which these signs may be placed.
 - C.) Signs may not exceed 18" x 24" (typical yard sign) in dimension. The dimension applies to both length and width (neither dimension may exceed 24").
 - D.) Signs that do not contain all information of one regular sign cannot be placed next to another sign in order to make in effect a larger sign. Signs that do not conform to this policy will be removed.
 - E.) Signs may not be hung on library property (examples are, but not limited to, hanging signs from fencing, trees, other signs, etc.)
 - F.) Signs may not be stacked upon one another. Stacked signs will be removed.
 - G.) Signs not in compliance with this policy will be removed and discarded immediately.
 - H.) Libraries not designated as a regular, runoff or fail safe voting sites will not have campaign signs. Signs that might be placed at non-voting sites will be discarded immediately.
 - I.) Signs remaining after the election will be removed and held for pick up the day after the election. All signs must be claimed and removed within 5 days after the official voting day(s) or they will be discarded.
5. Petitions of any kind are not permitted in library facilities. Library managers may designate areas outside of library facility entrances for public petitioners that do not impede access to the library or establish a harassing environment for library users.
6. Poll watchers and Davidson County Election Commission staff, not library staff, will apply and enforce rules consistent with the State of Tennessee and Davidson County Election Commission including the 100 foot campaign free zone surrounding polling sites.
7. Because the Nashville Public Library wishes to avoid any appearance, no matter how slight, of impropriety or impression of political preference, filming related to political campaigns or to partisan issues is not permitted in library facilities.

VIII. Adjournment

The meeting adjourned at 1:16 p.m.

Next Board Meeting –

12:00 noon, October 15, 2019

Donelson Branch Library – Meeting Room

2315 Lebanon Pike

Nashville TN 37214

Respectfully submitted by Corey Frederick