

PUBLIC LIBRARY CERTIFICATION

This certifies that our library

Sidney Public Library

(library name)

qualifies as a "public library"
formed under either Title 7 or
MCA § 22-1-303 through 22-1-317

Attached is the legal documentation
establishing our library under the above.

Mary A. Seigfreid

Library Board Chairperson

C. Renie Goss

Library Director

11-11-97

Date

AN ORDINANCE ESTABLISHING FREE PUBLIC LIBRARY IN AND FOR THE CITY OF SIDNEY, MONTANA; PROVIDING FOR THE RAISING OF KK FUNDS FOR THE MAINTAINANCE THEREOF; CREATING BOARD OF TRUSTEES FOR THE MANAGEMENT THEREOF, AND PRESCRIBING THEIR POWERS AND DUTIES.

WHEREAS, Heretofore, to-wit, on the 3d day of March, 1919, in response to a petition of the inhabitants of the city of sidney, montana to establish and maintain a free Public Library in and for the city of sidney, montana, the City Council, in accordance with the provisions of the laws of the State of Montana relating to the establishment and maintainance of public libraries, has by its order submitted the question of "Whether or not the City of Sidney, Montana, shall be authorized to establish and maintain a Free Public Library within the city of Sidney, Montana", to the qualified electors of the said city of Sidney, Montana, at the general City Election, held on the 7th day of april 1919, at which said election the majority of electors in the said city of Sidney voted in favor of authorizing the City of Sidney, Montana to establish and maintain a Free Public Library in and for said City of Sidney, -

NOW, THEREFORE, BE IT ORDAINED BY THE CCOUNCIL OF THE CITY OF SIDNEY, MONTANA:

Section 1. There is hereby created and established a free x Public Library in and for the City of Sidney, Montana, which shall be known and styled "THE PUBLIC LIBRARY OF THE CITY OF SIDNEY", and which shall be under the control and management, subject to the provisions of this ordinance, ~~xxxxxxxTrustees~~ of Board of Trustees, as hereinafter provided.

Section 2. There is hereby created a Board of Trustees for the management of said Public Library, to be known and styled as "TRUSTEES OF PUBLIC LIBRARY OF THE CITY OF SIDNEY", who shall consist of three tax-paying ~~ix~~ electors within the City of Sidney, and who shall be residents of the City of Sidney, and who shall be appointed by the Mayor, by and with the consent of the City Council, with referance to ~~ix~~ their fitness for such office, immediately after the passage and approval of this Ordinance, and annually thereafter as herein provided, who shall hold office for one, two and three years respectively. Immediately after their appointment, said Trustees shall meet at some convenient place, and shall organize by electing one of their members as Chairman, and by agreeing among themselves as to their respective terms, and may for that purpose draw lots, or adopt any other method which in the judgment of said Trustees may seem just and proper; and when said Trustees have been organized and agreed upon their respective terms of office they shall certify that fact to the City Clerk, and thereafter, on the first Monday in May of each year, the Mayor shall, by and with the consent of the City Council, fill all vacancies on said Board of Trustees.

Section 3. It shall be and is the duty of the Board of Trustees to take charge of, manage and supervise the said Public Library; take charge, control, management and supervision of all books, property belonging to said Library; provide, establish and maintain reading rooms, galleries of art and museums for the

at least one of whom shall be a woman,
whenever a vacancy occurs,

with the approval of the Council

use and benefit of the inhabitants of the City of Sidney. The said Trustees may make and publish from time to time by-laws for their own guidance, rules and regulations for the government of its agents and employees and servants, and for the government and regulation ~~of the library, or libraries, and other collections~~ and use of the library, or libraries, and other collections and property under their control. They may hire, or erect and maintain, with the approval of the City Council, buildings or rooms suitable for the purposes contemplated by this Ordinance, but no building shall be erected upon land to which the City has not the title in fee simple. The said Trustees may appoint all necessary agents and employees, fix their compensation, and may remove and discharge such appointees. ~~They shall have control of all~~ expenditures of all moneys collected by taxation and ~~placed~~ placed to the credit of Library Fund, provided that said Trustees shall not, under any circumstances, incur any indebtedness on behalf of the City in excess of the appropriations available at the time of the incurring of such indebtedness. Said Trustees may take by gift, grant, donation, devise, bequest or otherwise, any real or personal property, and using and controlling the same, and do and perform every act necessary or proper to carry out the provisions, spirit and intent of this Ordinance.

Section 4. The City Treasurer shall keep the regular books of account of said Trustees, in which he shall enter all indebtedness, warrants, orders or other evidences of indebtedness of said Trustees. He shall receive and safely keep all moneys belonging to said library fund of to the said Trustees, and pay the same only upon orders of the City Clerk. All claims against the Library shall be verified as other claims against the City, and shall be audited and approved by the Trustees, and ~~and presented to the City Clerk~~ filed with the City Clerk, and allowed and approved by the City Council as other claims against the City.

Section 5. The members of the Board of Trustees of Public Library shall receive no compensation, unless otherwise hereafter provided for by the City Council.

Section 6. Every Library, reading room, museum and gallery of art established or maintained under this Ordinance shall forever be free to the use of the inhabitants of the City of Sidney, subject to such reasonable rules and regulations as said Trustees may prescribe; and said Trustees may exclude from the use of any of said places ~~and~~ any and all persons who shall wilfully violate any of such rules or regulations. Provided that said Trustees shall have power, in their discretion, to admit to the benefit of any such library persons not residents of the City of Sidney, who shall by contract in writing, in the form of bond, to be approved by said trustees, make good all damage or loss of books or property issued to them, and covenanting that the persons so receiving the benefit of the library shall at all times conform to the laws, rules and regulations governing said Library; and such non-resident patrons may be required to pay for such privilege, such sums, at such times, as may be prescribed by said Trustees.

Section 7. The Board of Trustees of said Library shall make to the City Council annual reports of its affairs and proceedings, to be filed on the first Monday in May of each year. (67)

Section 8. Any person desiring to make donations of

B. F. Mercer, Salary as Water Comr. for May	S.P. \$100.00
Johnson-Mercer Hdw. Co. account Water Dept.	S.P. 6.10
F.C. Tubbs, labor on park grounds	S.P. 31.25
Bendon Auto & Sup. Co. tractor hire	S.P. 24.00
M.T. McDonough, Street work and Sprinkling,	S.P. 143.00

The matter of grading certain Streets in the City was discussed and on motion duly made and seconded, referred to the Street Commissioner and Street and Lighting Committee.

No further business coming on before the Council the meeting on motion duly made and seconded adjourned.

approved:

June 16, 1919

J. J. Matonski
City Clerk.

June 16, 1919.

Regular meeting of the City Council of the City of Sidney, Montana, held on the 16th day of June 1919, at 8 o'clock P.M., at the City Hall, was called to order by the Mayor, and on roll call of officers the following members of the Council were found to be present, to-wit: Mayor E. A. Kenoyer, Aldermen Hall, Rice, Anderson and Rood.

The ~~minutes~~ qualification and oath of office of the newly elected Alderman from Ward Two, Mr. Rood, was presented to the Council, same was to be in due form and according to law, and on motion duly made and seconded, same was approved, and Mr. Rood duly declared seated as Alderman from Ward. No. 2.

The minutes of previous meeting were read, and no objection being found same were on motion duly made and seconded approved.

The street and lighting committee reported against the purchase by the City of a tractor, which report was on motion duly made and seconded ~~accepted~~ accepted and approved.

At this time an Ordinance entitled:

"AN ORDINANCE ESTABLISHING FREE PUBLIC LIBRARY IN AND FOR THE CITY OF SIDNEY, MONTANA; PROVIDING FOR THE RAISING OF FUNDS FOR THE MAINTAINANCE THEREOF; CREATING BOARD OF TRUSTEES FOR THE MANAGEMENT THEREOF, AND PRESCRIBING THEIR POWERS AND DUTIES",

was presented to the Council for consideration, and same was on motion duly made and seconded ordered read, and same was read at length

for the first time, and duly passed as of its first reading
the following vote on roll call, to-wit: Ayes: Hall, Rice,
Anderson and Rood. Absent and not voting Aldermen
Woodard and Huth.

Thereupon, on motion duly made and seconded all
regulations, by-laws and orders of the Council which would
in any way prevent the final consideration and passage of said
Ordinance, were suspended, and said ordinance was ordered read
and same was read at length for the second time, and passed
of its second and final reading by the following vote on roll
call, to-wit: Ayes, Hall, Rice, Anderson and Rood. Noes None
Absent and not voting Aldermen Woodard and Huth.

Thereupon said Ordinance was presented to the Mayor
for his signature and approval who in open session duly signed
and approved same, and the Clerk attested the same with his
signature and the Seal of the City, and said Ordinance was
No. 67, and on motion duly made and seconded duly declared
passed and adopted, and the clerk was instructed to post and
publish same in accordance with the ordinances of the City.

At this time the City clerk was instructed to prepare
necessary papers and take steps toward vacating the street
between the blocks recently purchased by the City for Park
purposes.

The matter of codifying the City Ordinances was dis-
cussed without arriving at definite results.

On motion duly made and seconded the Fourth of July
celebration Committee were authorized to close Central Avenue
and Morrill Street to vehicle traffic on July 4th and 5th 1920
at following points: Morrill Street at Montana and at Yellow
Avenues; Central Avenue at Stanhope and at Peer Streets. The
rope or guard to be in such form as can be quickly removed in
case of fire or other emergency.

No further business coming on before the Council the
meeting on motion duly made and seconded adjourned.

Approved:

July 2, 1920

J. J. Matoush
City Clerk.

Montana,
at the
E. A.
Council
Aldermen
object
approve
No. 67
approve
Burton
levying
proper
expense
1920,
and s
first
adopte
Hall,
Aldern
a spe
of 1
curre
durin
was r
read
seco
to-w
and
levy

money, personal property, or real estate, for the benefit of such library, or for the establishment, maintenance or enlargement of such library, art gallery or museum in connection with such library, or for the establishment or maintenance or endowment of public lectures in connection with such library, upon any subject designated by the donor in the field of literature, sciences, and the arts (except that lectures in the interest of or relating to party politics or sectarian religion are expressly prohibited), shall have the right to vest the title to the money, personal property or real estate so donated, in the City of Sidney, for the benefit of said trustees created under this Ordinance, to be held and controlled by such Trustees, when accepted according to the terms of the deed, gift, devise or bequest of such property, and as to such property said Trustees shall be held and considered to be special trustees.

Section 8. Said Library Trustees may enter into association with any independent society or other organization owning libraries or museums, or existing for the purposes kindred to those contemplated by this ordinance, upon such terms and conditions as shall best promote the objects of said Trustees, and of said Public Library.

Section 9. That for the purpose of providing funds for the maintenance of said Public Library, the City Council shall, commencing with the year of 1919, and annually thereafter, levy a special tax not exceeding two mills on the dollar upon all taxable property within the corporate limits of the City of Sidney, Montana; and the tax so levied and collected shall be constitute, and be set aside and placed to the credit of, a fund known as the "LIBRARY FUND", and shall not be expended for any purpose or purposes other than the purchase of books and other things necessary for said Public Library, and the support and maintenance thereof.

Section 10. This ordinance shall be in full force and effect thirty days after its passage and approval.

Passed and approved this 16 day of June 1919.

E. A. Meyer,

Mayor

Attest:

F. J. Maloushek
City Clerk.

Posted 6-18-19 at Y. B. & T. Co. Bldg
at P. O.
at Ex House

(67)

TO: Darlene Staffeldt
FROM: Renee Goss
RE: City-County Contract
DATE: June 13, 2000

Darlene,

After listening and all info I got last week.....Guess I'm glad that the city and the county attorney have not had time to do our contract. Gives me time to have State Library look at it as was suggested last week(You have good examples??). Also may try and get Conrad's . Not sure who else is City County.

I am sending the two pages I found in my files...never signed. Had Karen Strege send me a letter of the importance hoping to get them off of dead center.

But if I can give them suggestions especially from you..how much the better.

Some of the stuff they have here scares me.

After you see this..let me know how much I need to get them to hold off untill you have time to respond. One thing I did notice...not a place for a Board memeber to sign.....

Renee

PAUL H. CRESAP
RICHARD G. PHILLIPS

TELEPHONE 482-1807
(AREA CODE 406)
212 S. CENTRAL

LAW OFFICES
CRESAP & PHILLIPS, P.C.
A PROFESSIONAL CORPORATION
BOX 953
SIDNEY, MONTANA
59270

September 5, 1985

Sue Morrison
Sidney Richland County Public Library
121 3rd Avenue NW
Sidney, MT

Re: City-County Library Contract

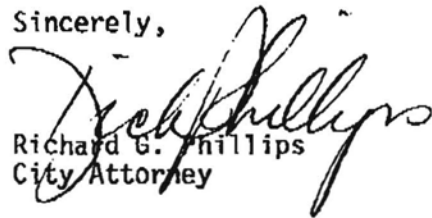
Dear Sue:

As requested, I am enclosing photo copy of the rough draft of the proposed library contract.

I have sent a copy to Mr. Koch to review on behalf of the county commissioners.

Since this is at this point a proposed contract there may be additional changes made after further discussion on the matter, and I will send you a copy of the final document when it has been signed by the parties.

Sincerely,


Richard G. Phillips
City Attorney

RGP:aos

Encl.

CITY-COUNTY LIBRARY CONTRACT

THIS AGREEMENT, made and entered into this _____ day of _____, 1985, by and between the CITY OF SIDNEY, hereinafter called the City, and RICHLAND COUNTY, hereinafter called the County WITNESSETH:

WHEREAS, the City and the County have in the past established a joint City-County library and have shared in the cost of operating and maintaining such library; and

WHEREAS, all such activities have been by oral agreement between the parties and the parties now wish to reduce such oral agreement to writing for future reference;

NOW, THEREFORE, IT IS AGREED between the City and County as follows:

1. The City and County shall continue to share in the cost of operating and maintaining the joint City-County Library. The cost share shall be determined annually by agreement between representatives of the city council and the Board of County Commissioners. In the event agreement cannot be reached, each party shall continue to provide the same share as was provided in the most recent previous budget year.

2. The City and County shall have authority to approve the annual library budget, but the actual operation of the library shall be handled by the Library Board of Trustees pursuant to the powers and duties granted to such board under the provisions of Section 22-1-309 MCA.

3. A delegation of the city council and representatives of the Board of County Commissioners shall meet at least once a year, no later than July 15 of each year to agree upon a total budget for the City-County Library. Such agreement shall be subject to final adoption by the full city council and the full Board of County Commissioners.

4. The city treasurer shall act as custodian of funds of the joint City-County Library and the county treasurer shall transfer quarterly to the city treasurer all moneys collected for such account.

5. In the event of any future dissolution of the joint City-County Library all assets of the library shall be sold and the proceeds of sale shall be distributed _____ percent to the City and _____ percent to the County. Sale of assets shall be conducted by the Board of Trustees upon such terms and conditions as they determine to be just and equitable.

6. This Agreement shall automatically continue from year to year unless either party gives notice to the other of its intention to cancel, such notice to be given at least six months prior to termination.

Dated this _____ day of _____, 1985.

ATTEST:

Ethel Sobolik, City Clerk

ATTEST:

Secretary

CITY OF SIDNEY

By _____
Charles L. Cummings, Mayor

BOARD OF COUNTY COMMISSIONERS OF
RICHLAND COUNTY

By _____
Chairman