

ORDINANCE NO. 3045

**AN ORDINANCE TO ADD SECTION 2.59 (COLLECTION) TO
TITLE 2 (ADMINISTRATION & PERSONNEL) OF THE
MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS
TO PROVIDE POLICY AND PROCEDURE FOR COLLECTION
OF PREHISTORIC & HISTORIC MATERIALS WITHIN THE
CITY OF COLUMBIA, ILLINOIS**

**Adopted by the
City Council
of the
City of Columbia, Illinois
this 17th day of June, 2013**

**Published in pamphlet form by
authority of the City Council
of the City of Columbia,
Illinois, this 17th day
of June, 2013**

STATE OF ILLINOIS
 CITY OF COLUMBIA
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ORDINANCE NO. 3045

J. Ronald Colyer
 City Clerk

AN ORDINANCE TO ADD SECTION 2.59 (COLLECTION) TO TITLE 2 (ADMINISTRATION & PERSONNEL) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO PROVIDE POLICY AND PROCEDURE FOR COLLECTION OF PREHISTORIC & HISTORIC MATERIALS WITHIN THE CITY OF COLUMBIA, ILLINOIS

WHEREAS, there is a need to adopt and periodically update rules to clarify and communicate the mutual considerations and concerns that are an integral part of the community; and,

WHEREAS, the City of Columbia, Illinois (hereinafter "City"), as a Certified Local Government in the State of Illinois, has authorized, under Chapter 15.64 of its municipal code, the Columbia Heritage & Preservation Commission ("CHPC") to identify sites, structures and objects that have historic, community, architectural or aesthetic importance, interest or value;

WHEREAS, on June 18, 2012, the City accepted (by means of Ordinance 2959) from the Columbia Historical Society, certain historic items and artifacts for their maintenance, care and display;

WHEREAS, on October 1, 2012, the City approved (by means of Resolution 9-2012) a Memorandum of Understanding with Dwayne Scheid, an employee of the Illinois State Archeological Survey acting as an independent contractor, that included specifications for collection of artifacts recovered and identified during that excavation;

WHEREAS, CHPC completed research and discussion regarding "best practices" for collection of prehistoric and historic documents, materials and objects on June 10, 2013, at which time the Commission recommended a Collection policy for adoption by the City of Columbia; and

WHEREAS, the Corporate Authorities of the City have found and determined and do hereby declare that it is in the public interest, health, safety and welfare of the citizens of the city that Title 2 (ADMINISTRATION & PERSONNEL) of the City's Municipal Code be amended so as to adopt policies and procedures to govern collection of prehistoric and historic documents, materials and objects by the City of Columbia.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Section 2.59 (COLLECTION) of Title 2 (ADMINISTRATION & PERSONNEL) of the City of Columbia, Illinois Municipal Code is hereby added to read as follows:

COLLECTION

Sections:

- 2.59.010 Purpose.**
- 2.59.020 Definitions.**
- 2.59.030 Collecting Objectives.**
- 2.59.040 Acquisition Policy.**
- 2.59.050 Procedures for Acquisition.**
- 2.59.060 Accession Policy.**
- 2.59.070 Deaccession Policy.**
- 2.59.080 Deaccession Procedures.**
- 2.59.090 Loans & Access to Collection in Storage.**

2.59.010 PURPOSE.

- 1) The purpose of the City of Columbia, as a Certified Local Government, in operating its library, archives and museums is to collect, preserve, study, interpret, and exhibit significant historical materials relating to Columbia and its citizens, and to provide related educational services for the purpose of increasing and enriching public knowledge. The acts of acquisition, accession and deaccession shall reflect this stated purpose.

- 2) The City of Columbia's Collection Policy will govern prehistoric and historic materials held by the City of Columbia and in the possession of the Columbia Public Library, the Columbia Heritage Center (archival center), the Shoemaker School Museum, the Miller-Fiege Home, and such other locations as the City Council may determine are desirable and appropriate for preservation, care and/or exhibition of historical materials.

2.59.020 DEFINITIONS.

- 1) "ACCESSION." The process of accepting items into the permanent Collection of the City of Columbia.
- 2) "ACQUISITION." The discovery, preliminary evaluation, assumption of physical and legal custody, and registration of materials, documents, and objects.
- 3) "COLLECTION." The aggregation of all historic and prehistoric materials, documents, and objects maintained by the City in its library, archives and museums.
- 4) "DEACCESSION." The process of permanently removing accessioned library materials, archival documents and/or museum objects from the Collection.
- 5) "DEEDS OF GIFT." Signed documents that voluntarily transfer ownership of real, personal, or intellectual property--such as a gift of historical materials--from one person or institution to another.

2.59.030 COLLECTING OBJECTIVES.

- 1) Library: To maintain existing and further collect books, magazines and other published items pertinent to the interests of the community, thereby advancing the City's commitment to promote the study of local history and encourage original research, including published works which reveal the history of Columbian life and culture, such as selected commemorative newspapers, newsletter and bulletins.
- 2) Archives: To maintain existing and further collect manuscripts, photographs and other documents pertinent to the historic record of the community, thereby advancing the City's commitment to promote the study of local history and encourage original research, including:
 - a. Manuscripts pertaining to all aspects of the history of Columbia, with emphasis upon the social, educational, business and economic activities of people as expressed in personal and institutional documents;
 - b. Historic photographs of people, places and events that are significant to the understanding of Columbia's history or that help to illuminate periods in Columbia's past;
 - c. Records, organizational minutes, ledgers or other historical documents that provide insight into the city's history and the lives of

its citizens over the years.

- 3) Museums: To build upon the strengths of the present collection of objects, especially:
 - a. Domestic arts, particularly of Monroe County, with particular emphasis upon furniture, furnishings, clothing, utensils, toys and personal effects (esp. in the Miller-Fiege Home);
 - b. Educational items, including books used in or with contents about country schools (esp. in the Shoemaker School);
 - c. Business items, including objects used in commerce such as advertising, calendars, and ledgers;
 - d. Government items used in operation of local governments or which were produced under the auspices of local governments;
 - e. Military objects, such as weapons, uniforms and accessories with particular emphasis given to regional involvement in conflicts;
 - f. Farming, agricultural and industrial implements, machinery, tools and memorabilia.

2.59.040 ACQUISITION POLICY.

Library materials and museum objects must meet all of the following tests of acquisition before being acquired by the City:

- 1) The objects must be relevant to and consistent with the purposes and activities of the City, as defined in the purpose statement above;
- 2) The City can provide for the storage, protection and preservation of the objects under conditions that ensure their availability for museum purposes and in keeping with professionally accepted standards;
- 3) All acquisitions shall be appropriate for research, comparison and exhibit, and shall be of high quality as determined by the Library Director, the Director of Community & Economic Development, other designated City staff or consultants, if necessary;
- 4) Items will have permanency in the collections as long as they retain their physical integrity, their identity, and their authenticity, and/or as long as they remain useful for the purposes of the City defined in the purpose statement above;

- 5) The materials or objects must, as much as possible, be documented as to origin or source and have a clear connection to Columbia or Monroe County (even if only as a representative item);
- 6) All moral, legal, and ethical implications of the acquisition must have been considered;
- 7) Acquisitions by purchase shall be made after proper financing has been arranged;
- 8) Deeds of Gift shall be promptly registered upon receipt of all acquisitions;
- 9) A separate file arranged by donors' surnames or other sources of acquisition will be maintained under supervision of the Director of Community & Economic Development (or his or her designee) and shall contain Deeds of Gift;
- 10) All donations of materials are considered outright and unconditional gifts to be used at the discretion of the City, and title to all objects acquired shall be free and clear, without restriction to use or future disposition;
- 11) No appraisals shall be done by trustees, staff members, volunteers or any other person closely associated with either, but staff may render impartial assistance to donors seeking independent, qualified appraisers.
- 12) Documents, materials and objects relevant to Columbia and its citizens may be acquired by purchase, commission, bequest, gift, exchange, field collection, and/or abandonment. No materials or objects shall be knowingly or willfully accepted or acquired which are known to have been illegally collected in the United State contrary to federal or state law, regulation, treaty, and/or convention.
- 13) The City shall refuse to acquire documents, materials and objects where there is cause to believe that the circumstances of their collection involved needless destruction of historic sites, buildings, structures, habitats, districts, and objects.

2.59.050 PROCEDURES FOR ACQUISITION.

- 1) Library: Authority to acquire library materials rests with the Library Director within the confines of the Collection Policy. For the purpose of purchase, authorization to acquire materials with a value of less the \$1,000 is delegated to the Director within annual budgets

approved by the library's board of directors. The purchase of materials having an estimated market value of \$1,000 or more shall be approved formally by that board of directors prior to acceptance or purchase.

- 2) Archives: Authority to acquire archival documents rests with the Director of Community & Economic Development or his/her designee within the confines of the Collection Policy. For the purpose of purchase, authorization to acquire documents with a value of less the \$1,000 is delegated to the Director of Community & Economic Development or his/her designee within annual budgets approved by the City Council. The purchase of materials having an estimated market value of \$1,000 or more shall be approved formally by the City Administrator prior to acceptance or purchase.
- 3) Museums: Authority to acquire museum objects is delegated to the Director of Community & Economic Development or his/her designee within the confines of the Collection Policy. For the purpose of purchase, authorization to acquire objects with a value less than \$1,000 is delegated to the Director of Community & Economic Development or his/her designee within annual budgets approved by the City Council. The purchase of objects having a value of \$1,000 or more shall be approved formally by the City Administrator prior to acceptance or purchase.
- 4) Under no circumstances will the Library Director, Director of Community & Economic Development, or other City staff be authorized to:
 - a. Obligate the City to the acceptance of any material or object inconsistent with the intent or spirit of the Acquisitions Policy;
 - b. Offer appraisals as to the monetary value of library materials, archival documents or museum objects to donors or reveal the City's insurance value for the purpose of establishing a fair market value of gifts offered to the Collection;
 - c. Appraise or otherwise place a monetary value on materials, documents or objects casually brought to the library, archival center or museums for examination.
- 5) Donors desiring to take an income tax gift deduction must obtain an independent appraisal from an authorized appraiser.

2.59.060 ACCESSION POLICY.

All materials and objects shall be processed under the following procedures and policies:

- 1) All museum objects shall be assigned accession numbers and shall be indexed by category, date of acquisition, and by name with suitable cross referencing;
- 2) Collection records, including source, location and subject, as well as accession files and accession book shall be kept in accordance with accepted professional standards. Duplicate copies of records will be kept in a safe place off- site;
- 3) Materials shall be stored in a manner to provide optimum security, accessibility and preservation;
- 4) Restoration shall be performed only by qualified professionals;
- 5) Deeds of Gift shall be made for all property received. A letter of thanks to the donor with a copy of the Deed of Gift will serve as the official receipt for the donor's purpose. Deed of Gift will set forth an adequate description of the objects involved and the conditions of transfer.

2.59.070 DEACCESSION POLICY.

The deaccession process shall be cautious, deliberate, and scrupulous in meeting the following criteria:

- 1) The material, document or object is outside the scope of the purpose of the Collection and this Collection Policy;
- 2) The material, document or object is irrelevant to the purpose of the Collection, as defined in Section 2, above;
- 3) The material, document or object lacks physical integrity;
- 4) The material, document or object has failed to retain its identity or authenticity, or been lost or stolen and remains lost for more than two (2) years;
- 5) The material, document or object is duplicate and without intrinsic value;
- 6) The City is unable to preserve the material, document or object

properly;

- 7) The material, document or object has deteriorated beyond usefulness;
- 8) The material, document or object has doubtful potential use in the foreseeable future.

2.59.080 DEACCESSION PROCEDURES.

No accessioned materials, documents and/or objects shall be removed from the City's Collection and physically disposed of except by strict conformity to the following rules:

- 1) When the Library Director, Director of Community & Economic Development, or their designee(s) deem it advisable to deaccession any object or collection owned by or deposited with the museum and have determined that the item proposed for deaccession is duplicative, superfluous, deteriorated, incompatible or otherwise found to be disposable, a deaccession recommendation shall be prepared;
- 2) Upon the approval of a simple majority of the City Council present at a regular or special meeting, the items may be deaccessioned and the minutes shall reflect that decision;
- 3) If the deaccessioned material was donated to the City, consideration may first be given to return to the donor; second consideration will be given to placing the object, through gift, exchange, or sale, in another tax exempt educational institution, and deaccessioned objects not disposed of in either of these manners will only be sold in a manner that will protect the interests, objectives and legal status of the City;
- 4) The City does not sanction the sale or gift of deaccessioned objects to its employees, officers or trustees;
- 5) In compliance with the U.S. Tax Reform Act of 1984 and I.R.S. regulations, no donated object shall be deaccessioned for any reason for two years after the date of its acquisition;
- 6) Funds received from the sale of deaccessioned objects from the collection will be used only to benefit the Collection; proceeds may not be used for general operating expenses.

2.59.090 LOANS & ACCESS TO COLLECTION IN STORAGE.

The City of Columbia will accept loaned items usually for a period of no more than six months. Special arrangements may be made for longer term loan with written consent of the owner(s), who will carry sufficient insurance on the term(s). Such loans will be renewed in writing annually. If an item is left for more than ten (10) years without written renewal from the owner(s) or successors or request for return of the item, the City will consider the item(s) abandoned and will accession the item(s) into the collection.

The City believes that prehistoric and historic materials, documents and/or objects should be used to advance knowledge and therefore should be accessible to serious students and scholars for research purposes. Access to item(s) within the City's Collection is secondary to preservation of the Collection; therefore, the primary concern in making item(s) available for examination and use will be the condition of the item(s) and availability of other sources, copies or information.

Excepting any item(s) in the Columbia Public Library, the following procedures will govern access to the City's Collection in storage:

- 1) The requesting student or scholar must submit a written request stating the purpose of the research, the requestor's academic qualifications, and anticipated use(s) of the research results;
- 2) The request will be approved or denied within thirty (30) days by the Director of Community & Economic Development or his/her designee; denial may be appealed to the City Council;
- 3) Requests to use historical documents and/or objects for profit-making endeavors must negotiate a licensing agreement with the City Council and adhere to all state and federal requirements for such endeavors, including (but not limited to) recognition of copyrights;
- 4) No items from the collection may be removed from the premises without express permission of the Director of Community & Economic Development or his/her designee, and in accordance with this Policy.

Section 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form, as provided by law.

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Niemietz, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Mathews, Reis and Holtkamp.

NAYS: None.

ABSENT: Alderman Huch.


ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor, this 17th day of June, 2013.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF PUBLICATION

I, J. Ronald Colyer, certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois.

I further certify that on the 17th day of June, 2013, the Corporate Authorities of the City of Columbia, Illinois, passed and approved Ordinance No. 3045 entitled:

“AN ORDINANCE TO ADD SECTION 2.59 (COLLECTION) TO TITLE 2 (ADMINISTRATION & PERSONNEL) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO PROVIDE POLICY AND PROCEDURE FOR COLLECTION OF PREHISTORIC & HISTORIC MATERIALS WITHIN THE CITY OF COLUMBIA, ILLINOIS”

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 3045, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such ordinance was posted in the Columbia City Hall, commencing on June 18th, 2013 and continuing for at least ten (10) days thereafter. Copies of such ordinance were also made available for public inspection upon request in the office of the City Clerk.

DATED at Columbia, Illinois this 17th day of June, 2013.



J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

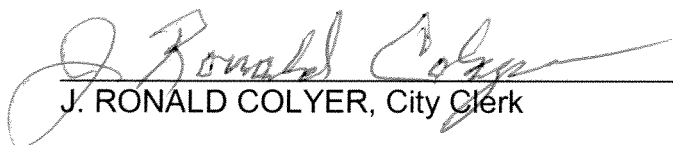
I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 3045 entitled:

“AN ORDINANCE TO ADD SECTION 2.59 (COLLECTION) TO TITLE 2 (ADMINISTRATION & PERSONNEL) OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA, ILLINOIS TO PROVIDE POLICY AND PROCEDURE FOR COLLECTION OF PREHISTORIC & HISTORIC MATERIALS WITHIN THE CITY OF COLUMBIA, ILLINOIS”

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 17th day of June, 2013.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 17th day of June, 2013.



J. RONALD COLYER, City Clerk

(SEAL)