

**Ames Public Library Board of Trustees  
Meeting Minutes  
November 19, 2009**

The Ames Public Library (APL) Board of Trustees met in regular session on Thursday, November 19, 2009, in the Library Atrium with Bradley, Budd, Campbell, Lockett, Meier, Schill, Seagrave, and Warnick in attendance. Stow was excused. Library Director Weeks and Assistant Director Carey were also present.

**Call to Order:** Board President Seagrave called the meeting to order at 7:02 p.m.

**Adoption of Agenda:** Seagrave stated that he would like Unfinished Business to immediately follow approval of the Consent Agenda. The revised agenda was approved by consent.

**Approval of Minutes:** Moved by Campbell, seconded by Bradley, to approve the minutes of the regular meeting of October 15, 2009, and the special retreat of November 7, 2009.  
Vote on Motion: 7-0. Motion carried unanimously.

**Public Forum:** No one spoke.

**Consent Agenda:** Meier moved and Schill seconded adoption of a resolution approving the consent agenda.

- 1) Claims report: October 1, 2009 – October 31, 2009
  - 2) Gifts:
    - a) For Project Smyles in honor of Karen Thompson's birthday ..... \$15.00
    - b) In memory of Dorcas Speer  
from Teresa and James Larson ..... \$200.00  
from Eileen and Morris Mericle ..... \$50.00
  - 2) Financial Reports
    - a) Monthly Expense Report Summary through 10/31/09
    - b) Year-to-date Expense Summary through 10/31/09
    - c) Year-to-date Donations Report through 10/31/09
    - d) Library Bequest Interest Earnings Report through 10/31/09
- Vote on Motion: 7-0. Motion passed unanimously.

**Unfinished Business:**

Statement of Concern filed by John and Joyce Bannantine

Board President Seagrave reviewed happenings of the meeting held on October 15 and stated that the motion which had been on the floor had expired; thus, a new motion would be entertained at the appropriate time. He also noted that since the last meeting the Trustees had had the opportunity to review the periodical, information had appeared in the press, and numerous e-mails had been received from the public. Seagrave noted that the Trustees had not had time to read all the communications, but stated that they would be made available. He then called forward persons desiring to speak, in the order they had signed in.

Ray Rodriguez, 703 Meadow Place, stated that he is a certified health education specialist who has been teaching for 22 years and is a recognized expert in dealing with sexuality issues. He is also a community member and the parent of a 13-year-old daughter who is a regular library user. He personally believes that the *Sex, Etc.* a fantastic magazine and should be made available because it gives a peer approach to sexual health. While he is an expert in this field, he is 42 years old and most young people do not want to hear sex education from him -- they

will choose each other as sources of information. Mr. Rodriguez also said it is a fallacy to believe that young persons will see information about sex and then feel the urge to go try it out. Yet, sex education is necessary for the teen population because of the high numbers of pregnancies occurring in unmarried women under the age of 21 and the estimated one in four children between the ages of 15 and 19 who have some form of sexually transmitted disease (STD). Mr. Rodriguez said he had read the minutes of the last meeting and stated that anyone who believes a 12-year-old has not ever heard about sexuality has not spent much time in the middle school. Many 12-year-olds have friends who are engaging in sexual activity, and they are doing so based on myth and pressure that *Sex, Etc.* and its articles do a lot to dispel. Mr. Rodriguez said that having access to the information is not only appropriate but, in his opinion, is the function of a public library. Young people need to be empowered to make their own decisions and to find the information that is available; locking it away someplace where they can't see it would be a disservice.

Trustee Campbell disclosed that Mr. Rodriguez speaks to his incoming freshman community and teachers every fall.

Justine Dvorchak-Rodriguez, 703 Meadow Place, stated that she works with students as an administrator and is also a parent of a 13-year-old daughter. She is accustomed to hearing young people talk and is aware that they have a lot of false information. Recently she overheard a group of boys saying that they could get AIDS if someone in the locker room had it. She said the only way to keep misinformation from being spread is by making sure correct information is available. Ms. Dvorchak-Rodriguez said that she and her husband have chosen to have an ongoing conversation about sexual matters with their daughter so that she will feel comfortable coming to them for information; nevertheless, she feels having a magazine like *Sex, Etc.* available in the library is important because it can help her daughter deal with some of the questions she may not want to discuss with them.

Susan Wallace, 318 Pearson, stated that she was a former member of the Connecticut Center for First Amendment Rights, is a writer by profession, and works with young collegiate women every day. She said she looked at the magazine in question and she thought it was wonderful. She pointed out that young people can pick up information from television and magazine racks in the grocery store, but she believes they need to be provided information that gives them the opportunity to make informed, factual, educated decisions about something that is going to be inevitable in their lives. She urged the board to keep *Sex, Etc.* visible, accessible, and open.

Trustee Bradley mentioned that she and Ms. Wallace are friends.

Warren Blumenfeld, 201 S. Russell Avenue, stated that he was a friend of Trustee Campbell and an Assistant Professor in the Department of Curriculum and Instruction at Iowa State. He said he was also speaking from the perspective of someone who is both gay and Jewish. He read a poem by Walt Whitman from Leaves of Grass, which was banned in 1860 and considered obscene literature by some at that time. He also quoted Thomas Jefferson, who said that "the future of the democracy depends on the education of its people," unlike totalitarian regimes in which we sometimes see the censoring of books. His comment on this issue was, "If you don't want to read this publication, don't read it -- but don't take it away from others who do."

John Bannantine, 5417 Tennessee Street, said it was clear that there was misunderstanding about the nature of his Statement of Concern, which was not about sex education; rather, it had to do with the periodical being elevated beyond others through prominent display and the distribution of ten extra copies at an upgraded subscription price. He said the request to the

Board is that it not distribute free copies of the magazine and that it be displayed as any other periodical is.

Bob Hibbing, 3151 State Avenue, stated that he was a father of five, all of whom survived without STDs because they learned from him. He was opposed to the display of the magazine.

Kate Dobson, 4117 Phoenix Street, said she is a junior at Ames High and was also representing the Mayor's Youth Committee. She stated that she went through sex education in fifth grade and had a lot of questions when she got home, but did not know where to go for valid information. She said she felt it was appropriate for the library to have *Sex, Etc.* and the material needs to be available. She feels that if it were shelved and cataloged with other publications, teens would not go up and ask for it – but it is information that is valid and vital for them to know.

Tina Hopkins, 101 W. Sycamore, Ogden, stated that she represented Youth and Shelter Services, where she works as a teen pregnancy prevention coordinator for Boone and Story Counties. She said she talks to teens every day. They have questions and they are not getting the information they need at home. She said accurate information needs to be available, prominent, and displayed for all ages. Similar information can be found in *Cosmo* or *Seventeen*, but the nice thing about *Sex, Etc.* is that it is reviewed and is accurate, science-based information. She feels that the ten free issues now offered by APL are probably not enough, but it is important to have them.

Etta Thornburg, 419 Hawthorne Avenue, stated that she is a librarian for a non-profit agency in Des Moines, but has been a member of the Ames community for 21 years. She feels access to information is a central issue and that this magazine needs to be available. She said she used to go hide in the corner with the romance paperbacks, but does not want her brothers or other kids getting information about sex from romances because she knows it is not accurate or realistic. Ms. Thornburg said if it were a matter of money, she would be willing to pay so that students could have 50 issues. She pointed out that *Tunes* is also available for free at the library and, while she realizes there is a difference between the publications, she feels libraries should try very hard not to censor.

Tim Borseth, 418 Stanton Avenue, said that fear may have clouded some persons' judgment. He appealed to the Board to understand that there is no effort to censor the magazine or blacklist it; the petitioners are simply asking that it not be given preferential treatment, that it not be available for kids to sneak out of the library without monitoring, and that it be put with the other periodicals. Teens can access other materials without trouble, but this magazine does contain information that is very difficult for some to read, offensive to some, and even somewhat biased.

Mary Jo Gonzalez, 5419 Durant, stated that people in a community have differences and she was pleased that different voices were able to be heard on this matter; it scared her to think of voices in the past that were not allowed to be heard. She is also aware that it is the community that will help her raise her daughter and the library is part of that community. She said the community deserves diversity and the decision the Trustees had to make was whether or not they would allow people to have access to information.

Harold Ault, 57154 - 245th Street, stated that he is not a parent, but he remembers being a teenager when the primary form of sex education was word of mouth and *National Geographic* magazine. He said he likes *Sex, Etc.* because it conveys reliable information. Mr. Ault said you can't hide things from teens. They have access to the Internet, but it contains both reliable and unreliable information and it is often hard to tell the difference. He also noted that if the

magazine were called “Comments on Social Interactions from Rutgers University,” it would not catch anyone’s attention, but it’s called *Sex, Etc.* so that it will catch teens’ attention. He said he felt it was factual, well-done, does not encourage teens to do anything – it mostly presents information. Some people might say the kids should go to their parents with questions, but there are some things the parents don’t know the answers to. Mr. Ault said he believes the magazine should stay where it is; he doesn’t feel it is any more prominent than the other ten or twelve magazines in the rack and it’s a good thing for the library to have.

Tara Anzio stated that she was a resident of Ames and understands both points of view. As a previous library director, she asked the Trustees to think about the fact that if they start setting library policy based on a minority petition, they might start down a slippery slope they do not want to go down. She also hoped that they had faith and trust in the library director they had hired.

Seagrave asked Library Director Weeks to state his recommendation. Mr. Weeks indicated that the Bannantines had followed the procedures detailed in APL policies and he appreciated the fact that they had expressed their concerns. He said that the journal in question is part of a shelf called the FYI Shelf, which has been stocked with information for teens that has been evaluated by library staff and which is relevant to their lives. For many, the topics on the FYI Shelf don’t lend themselves to inquiry at the reference desk, so it is provided there and displayed prominently. Weeks said it is an essential part of the library’s mission and responsibility to proactively and non-judgmentally provide authoritative information, and he is proud of the library staff for doing that. Mr. Weeks said that the Board also bears a responsibility to adhere to the guiding principles of librarianship and library service as developed by the American Library Association (ALA) and have been endorsed by the Board of Trustees. Mr. Weeks maintained that the library should continue its current practice of display and distribution of the free copies of the journal, which was based on the professional judgment of library staff.

Moved by Budd, seconded by Campbell, that the Board of Trustees adopt a resolution to support the recommendation of the Library Director and the staff, based on their professional judgment and adherence to the policies of the Ames Public Library and the American Library Association guidance document.

Trustee Campbell thanked the members of the audience, especially the teens who had spoken. He said that he had reviewed the information and found the magazine to be informative, non-judgmental, and based on research done by top scholars. He also noted that a medical person monitors the information made public on the *Sex, Etc.* blog.

Trustee Warnick stated that this issue was agonizing for her. She said there was much frank and honest information in the magazine that teens need; however, she agrees with the petitioners that the materials are being treated preferentially. She said she would support making the ten extra copies available to circulate through check-out, but does not believe they should be given out free and without oversight. She also disagreed with the notion that this position represented a lack of support for staff.

Trustee Budd said the first issue he read of *Sex, Etc.* was of no concern to him. He was less comfortable with the second one, but he said he was thankful that not everything in the library conforms to what he personally believes. He feels the library staff is dedicated, knowledgeable, and very professional; he supported their efforts.

Trustee Schill said that he supported having materials available on issues that are of concern to youth; he supported keeping copies of the magazine where they are.

Trustee Meier said she reviewed the ALA guidelines and agrees that parents, and only parents, have the right to restrict materials from their children. She supported the Director's position.

Vote on Motion: 6-1. (Budd, Bradley, Campbell, Lockett, Meier, Schill voting yes; Warnick voting no.) Motion carried.

Recess: 7:51 p.m.

Reconvene: 7:55 p.m.

**Communications:** Campbell stated that he had received a communication regarding *Sex, Etc.* at his office, but had not brought it. Staff believed it was probably included in the list provided, but Campbell said he would forward it the following day.

**Administrative Staff Report:** Weeks reviewed his written report and noted that he would contact the City Attorney about questions related to the Trustees terms of office, now that the ordinance change has been approved by the voters. Seagrave stated that he would work with the By-laws Committee to review the existing by-laws and make recommendations for appropriate changes.

**APL Friends Liaisons' Report:** Bradley said that the Friends met on November 2. Gross income from the October book sale amounted to \$11,002. Eleven new members were recruited and the valet service was quite popular. She said Fred Brown had volunteered to serve as Treasurer, a By-laws Committee was formed, and the Memorandum of Understanding with the Library Board was approved. The teen advisory group (TAG) held a successful Halloween dance party and participated in Community Day at Younkers. There was only one attendee at the National Writing Month activity; they would like to have had more participants in it. On November 17, the teens will hold a Monopoly tournament.

**APL Foundation Liaisons' Report:** Carey reported that the Foundation Board discussed the Memorandum of Understanding and their thoughts on the disposition of the \$17,000 payment. She said that close to \$30,000 had come in from the annual campaign and approximately \$24,000 is estimated from a recent bequest. A mailing will be going out in December asking past donors to remember the library at the end of the year and indicating that the Foundation would acknowledge any donations given as gifts with a holiday card.

**Policy Review:**

Unattended Child Policy Moved by Warnick, seconded by Meier, to adopt a resolution approving the Unattended Child Policy as presented/amended.

Carey recognized Jerri Heid and her staff for reviewing the policy with a fine-toothed comb and making improvements. She said supervisors also reviewed the changes. The revised policy includes definitions and the language now includes information about the philosophy behind the rules. She said staff intends to post the policy publicly so that it will not be a surprise to parents.

There was discussion about how often the police have had to be involved in situations with unattended children. Carey said that serious searches had been conducted about a dozen times and the police had been contacted twice since she started at the library (twenty-four years ago).

Vote on motion to approve the Unattended Child Policy, as presented: 7-0. Motion carried unanimously.

**New Business:**

Operating Budget: Moved by Campbell, seconded by Budd, to approve the Operating Budget, including expenditures adjusted for Fiscal Year 09/10 and projected for Fiscal Year FY10/11, general revenue adjusted for Fiscal Year 09/10 and projected for Fiscal Year FY10/11, and the use of gifts and donations for Fiscal Year 09/10, as presented/amended.

Weeks stated that the City anticipates reductions in sales and property tax revenue, so all departments were asked to submit conservative budgets, but not to change the level of service offered to the public. He reported on how current-year adjustments and future-year projections compared to the expense budget originally adopted for this year.

Category	FY09/10 Adjusted Budget*	FY10/11 Projected Budget*
Salaries, sick leave, vacation	.45%	3.50%
Employee benefits	2.19%	9.83%
Internal City Services	2.94%	5.64%
Contractual	-6.30%	-1.40%
Commodities	-10.08%	-8.80%
Capital (collections)	0.00%	1.52%
Overall	0.23%	3.47%

\* compared to the FY09/10 Adopted Budget

Weeks stated that estimates for the first three categories and a few other line items, such as utilities and fleet expenses, were calculated by the Finance Department. In areas where the library was allowed discretion, the following changes were made:

- Travel and meetings -- only funded if an employee is involved in committee work, is appearing as a speaker, or will benefit from something directly related to his or her job.
- Dues -- included for supervisory staff only, not front-line workers; Trustee memberships were covered for the Iowa Library Association (ILA), but not for the American Library Association (ALA). This means the Trustees will not receive the magazines.
- Minor Computer Equipment – received permission to use funds in the library’s depreciation account, which totals approximately \$100,000 now, and is more than adequate to meet the anticipated replacement schedule.
- Capital expenses, including books and materials – held at the present service level this year and slightly increased next year, in order to continue to carry out the essential mission of the library.

There was some discussion about the City’s annual payroll increase. Weeks said that the City engages in union bargaining for some of its employees, but wages for most people fall under the purview of the City Council. He also explained that the miscellaneous expenses for hourly employees are simply “parked” in the Temporary Salary Benefits line; the actual expenditures are entered by the Finance Department in the appropriate categories at the end of the year.

Campbell asked about the cost of ALA membership for Trustees, and remarked that he found the magazine very useful and has even used it at work. Weeks said he thought the fee was about \$70. Carey suggested that she and Weeks could share one magazine and their second copy could be routed to any of the Trustees who were interested in seeing it.

Budd asked staff to comment on the cost of electricity. Carey said energy savings measures have been put in place so the library's usage is actually down, but rates have gone up. The library was advised about the amount it needed to budget.

Moving on to revenue, Weeks said that staff factored a three percent increase into the Gilbert Contract; however, APL desk receipts from fines are lower because the due date pre-notifications now being sent to borrowers are effective. (Library customers are happier, but income is lower.) The fee formerly charged for expired holds has also been dropped because customers complained and collecting it turned out to be more work for staff than it was worth.

Carey commented on proposed expenditures from gifts and donations, noting that the bequest accounts or the interest earned on them would fund special requests, while general donations were targeted, as usual, for collections. She said the Children's Theater account was created about 14 years ago when someone gave the library \$5000 to spend on children's programs; a couple thousand dollars remain to be spent. Weeks stated that Governor Culver did not cut the funding for Direct State Aid to libraries.

Trustee Meier asked if there was only one Smyles costume. Carey replied that the library has two of them, but the original one is about four or five years old. It is dry cleaned, but more and more people are wearing it and the feet and bottom of the legs are getting worn out.

Vote on Motion as presented: 7-0. Motion carried unanimously.

Memorandum of Understanding Funding Designation for the APL Foundation: Moved by Lockett, seconded by Bradley, to adopt a resolution designating the \$17,000 payment received in accordance with the Memorandum of Understanding with the Ames Public Library Foundation for Project Smyles as presented/amended.

Vote on Motion as presented: 7-0. Motion carried unanimously.

Memorandum of Understanding with the Friends of the Ames Public Library: Moved by Schill, seconded by Warning, to adopt a resolution approving the Memorandum of Understanding between the Friends of the Ames Public Library and the Ames Public Library Board of Trustees for Fiscal Year 2009/10 as presented/amended.

Weeks said the calculations for monetary compensation to the library were based on a percentage of the Volunteer Coordinator's salary and benefits, the cost of some clerical staff time, a charge based on square footage for storage of books for book sales, some office space, and the cost of utilities based on the percentage of the library's total square footage being used by the Friends. He noted that \$12,185 represented payment for services provided by the library; the City has agreed to allow the payments to be used for purposes designated by Trustees, rather than including them in the operating budget.

Seagrave asked what percentage of the Friends income the fee represented. Weeks said the group typically raises a little less than \$30,000 per year – about \$12,000 comes in from each book sale, along with some income from Literary Grounds and sales on e-bay. Carey said that the Friends had already indicated that they were planning to give \$29,000 to the library this year and this payment will come from that.

Seagrave suggested that next year the disposition of books being retired by the library and of books that are donated should be further defined.

Vote on Motion as presented: 7-0. Motion carried unanimously.

Memorandum of Understanding Funding Designation for the Friends of the Ames Public Library:

Moved by Bradley, seconded by Warnick, to adopt a resolution designating the \$12,185 payment received in accordance with the Memorandum of Understanding with the Friends of the Ames Public Library for library collections and programs as presented/amended.

Vote on Motion as presented: 7-0. Motion carried unanimously.

Change in Date of December Meeting: Moved by Campbell, seconded by Meier, to change the date of the next meeting from December 17 to December 10, 2009.

Vote on Motion: 7-0. Motion carried unanimously.

**Trustee Comments:**

Seagrave remarked that circulation statistics were included in the packet, as usual, and asked if staff would care to comment on them. Weeks said that the circulation of adult print materials in October 2009 was up 9% over October 2008, which indicates that the library is serving its mission. The circulation of youth materials was slightly down last month, but it had been increasing earlier in the year. Overall, he believes the numbers show that libraries have not lost their relevance. Seagrave added that the invention of electronic readers may prove to be a positive complement.

Schill – no comments.

Warnick – no comments.

Bradley – no comments.

Campbell stated that he was impressed with comments made by the community and passion of the people who attended this meeting; he believes it shows that libraries mean a lot to people.

Luckett – no comments.

Meier passed out materials she had brought back from the Iowa Library Association Conference and expressed appreciation for the opportunity to attend it.

Budd said he felt the results of the election held earlier in the month and the size of the crowd at this meeting revealed a good deal of public interest in the library. While the petitioners may not have gotten the result they wanted, he was pleased that they had enough interest to get involved.

**Adjournment:** The meeting adjourned at 8:45 p.m.

The next regular meeting will be Thursday, December 10, at 7:00 p.m.