

**1. CALL TO ORDER**

Session 22-09, a Regular Meeting of the Library Advisory Board was called to order by Chair Kate Finn at 5:35 p.m. on November 15, 2022 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar.

PRESENT: BOARDMEMBERS KUSZMAUL, BAILY, FAIR, SPRINGER, MCKINNEY, FINN

CONSULTING: STUDENT REPRESENTATIVE JOHNSON

ABSENT: BOARDMEMBER DOLMA (excused)

STAFF: LIBRARY DIRECTOR BERRY, DEPUTY CITY CLERK TUSSEY

**2. AGENDA APPROVAL**

FAIR/MCKINNEY MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**3. PUBLIC COMMENT REGARDING ITEMS ON THE AGENDA**

Public testimony in support of the LAB appealing the Library Director's decision regarding children and young adult materials:

Sabrina Schweitzer, non-city resident

Charlie Franz, city resident

Matt Pancratz, non-city resident

Ron Hess, non-city resident

Public testimony in support of the LAB upholding the Library Director's decision regarding children and young adult materials:

Kelly Cooper, non-city resident

Red Asselin

David Go Lewis, city resident

Jane Miles, non-city resident

Erin Hollowell, non-city resident

Rika Mouw, city resident

Ginny Espenshade, city resident

Cooper Freeman, city resident

Bridget Maryott, non-city resident

Van Hawkins, city resident

Elizabeth Merry, city resident

Tessa Sullivan, city resident

Heather Kallevig, city resident

Jenna Gerrety

Jay Bechtol, city resident

Matthew Puckett  
Alana and Mary Careear, city resident  
Catriona Reynolds, city resident  
Donna Beran  
Nancy Lord, city resident  
Adam Christensen, non-city resident  
Kim Fine, non-city resident  
Ann Dixon, city resident  
Janet Fink, non-city resident

Chair Finn called for a recess at 6:45 p.m. to allow staff to address technical difficulties affecting the audio system in the Cowles Council Chambers, and reconvened the meeting at 7:30 p.m.

Continued public testimony in support of the LAB appealing the Library Director's decision regarding children and young adult materials:

Katie Baker, city resident  
Jenna Fabich  
Mark Edens, non-city resident  
Madeline Veldstra, non-city resident  
Nathaniel Jolly, city resident  
Dave Becker, non-city resident  
Laura Heckert, city resident  
Joanne Swanson, non-city resident  
Ian Reid, city resident  
Kasia Robotkay, city resident  
Pastor Heidom, city resident  
Jasmine Baker  
Alyssum Veldstra  
Paul Riedel

Continued public testimony in support of the LAB upholding the Library Director's decision regarding children and young adult materials:

Rachel Lord, city resident  
Nick Mumma  
Mercedes Harness, city resident  
Nancy Lee-Evans  
Susie Amundson, non-city resident  
Candy Rour  
Emily Coble  
Margarida Kondak, city resident  
Scott Bartlett  
Sarah Banks  
Jamie Roth, non-city resident  
Joey Lothian, city resident  
Kris Holderied, city resident  
Reece Cowan, city resident

Cristen San Roman, city resident  
Annie Litecky, city resident  
Lindsay Martin, non-city resident  
Tony Stanfill  
Jane Dunn, non-city resident  
Jenny Baker, city resident  
Analise Goedeke, non-city resident  
Rachel Iannelli, city resident  
Kate McGregor  
Claudia Haines

#### **4. RECONSIDERATION**

#### **5. APPROVAL OF MINUTES**

- 5.A. LAB Meeting Minutes  
October 17, 2022 Special Meeting Minutes

FAIR/SPRINGER MOVED TO APPROVE THE OCTOBER 17<sup>th</sup> SPECIAL MEETING MINUTES.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

#### **6. VISITORS/PRESENTATIONS**

#### **7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS**

- 7.A. Library Director Report  
October 2022 Library Director Report  
2021 Annual Stats  
2022 Annual Stats

Library Director Berry spoke to his written report.

- 7.B. Legislative Update

Chair Finn provided a verbal report, noting their time to lobby is coming up January 1<sup>st</sup>.

- 7.C. Fundraising Update

Boardmember Kuszmaul provided a verbal report on the fish wall additions and reminded boardmembers of their endowment fund goal to find matching funds.

#### **8. PUBLIC HEARING**

#### **9. PENDING BUSINESS**

#### **10. NEW BUSINESS**

- 10.A. Approving LAB Regular Meeting Schedule for 2023

Agenda Item Report LAB 22-004

Chair Finn introduced the item by reading the title and opened the floor for discussion.

KUSZMAUL/FAIR MOVED TO APPROVE THE LIBRARY ADVISORY BOARD'S 2023 REGULAR MEETING SCHEDULE.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

10.B. Decision to Reschedule or Cancel LAB's December Meeting  
Agenda Item Report LAB 22-005

Chair Finn introduced the item by reading the title. She explained the reasons for potentially cancelling the December regular meeting including Library Director Berry being absent, the proximity to the holidays, and giving boardmembers enough time to read all the children and young adult materials in preparation for making a determination on the appeal at their January regular meeting. The items originally scheduled for the December and January meeting will be moved to the February agenda. She opened the floor for a motion or discussion.

FAIR/SPRINGER MOVED TO CANCEL THE LAB'S DECEMBER 20<sup>TH</sup> REGULAR MEETING.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was discussion on whether another motion was needed to schedule a special meeting. The board mutually agreed to not hold a special meeting in December.

10.C. Appeal of Library Director's Decision Regarding Children and Young Adult Materials  
Agenda Item Report LAB 22-006

Chair Finn introduced the item by reading the title. She reviewed Section O of the library's Collection Development Policy which states a patron may appeal the Library Director's decision on a Request for Reconsideration of Library Materials to the Library Advisory Board, and read the overview of that section to clarify the intentions of reconsideration.

Chair Finn clarified the board's job is to be deliberate and focused as they take tonight's testimony and read and evaluate each book's appropriateness for the Children's Section of the Library. There are 54 books to be read so it is recommended both by herself and city staff that the board makes a motion to postpone their final decision to the January 17, 2023 regular meeting, and use this meeting to listen. She noted the board has heard from the Appellant during Public Comments, and their written statement is included in the packet on Page 25, and she will request the Library Director provide his comments in addition to his written recommendation that is in the packet.

Chair Finn recapped the purpose of this meeting is to listen and then during the next two months before the LAB's next meeting the board shall do the following:

- Read through the 54 books. Boardmembers will coordinate with Library Director Berry to check these books out since he'll be keeping them in his office during this time.
- While reading these materials, keep in mind the library's Collection Development Policy while evaluating each book.
- Come to the January 17<sup>th</sup> meeting prepared to discuss the question on whether to uphold or overturn the Library Director's decision. The board will have three options: Uphold the Director's decision in full, which leaves the materials where they are; Reverse the Director's decision in full, which means interfiling the items with the adult books; or Consider items on a title-by-title basis, moving some items and leaving others.

Chair Finn reminded everyone to refrain from discussing this matter outside of the meetings, remain bipartisan, and any questions regarding procedure can be directed to Deputy City Clerk Tussey. Ms. Tussey will continue forwarding all written testimony to the board and it will be included in the January meeting packet. She asked Library Director Berry to speak to his written recommendation, as per the appeal process, and then for a motion.

Library Director Berry thanked the board and public for staying late. He shared how he agrees with the petitioners, and specified which aspects he does not agree on.

FAIR/MCKINNEY MOVED TO POSTPONE A FINAL JUDGEMENT ON THE APPEAL OF LIBRARY DIRECTOR'S DECISION OF LIBRARY MATERIALS TO THE LAB'S JANUARY 17, 2023 REGULAR MEETING SO THE BOARD MAY HAVE TIME TO REVIEW THE MATERIALS.

Boardmember Kuszmaul asked what the process would be if in the situation the LAB is unable to make a decision at the January meeting. Ms. Tussey explained that at that time they would make another motion to postpone the agenda item to their February meeting.

Boardmember Springer inquired on the logistics of getting the books from the Library Director. Mr. Berry explained how the books would be checked out to boardmembers in batches, with him tracking which ones have been read/unread and sending out updates via email.

Boardmember Baily requested legal guidance on ensuring our policy is within legal rights. Ms. Tussey noted that the current policy has been approved by City Council and vetted through the City Attorney, so it is legal, and that she will verify it with the City Attorney after the meeting and notify the board.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

## **11. INFORMATIONAL MATERIALS**

- 11.A. Outreach Letter from Alaska Library Association (AkLA) Advocacy Committee  
October 2022 AkLA Letter
- 11.B. LAB Meeting & City Council Report Calendar  
2022 LAB Calendar

Chair Finn noted the informational materials provided.

**12. COMMENTS OF THE AUDIENCE**

Public testimony in support of the LAB appealing the Library Director’s decision regarding children and young adult materials:

Madeline Veldstra, non-city resident

Public testimony in support of the LAB upholding the Library Director’s decision regarding children and young adult materials:

Ginny Espenshade, city resident

Kim Fine, non-city resident

Deborah Curtis

Matthew Puckett

Wayne Aderhold, city resident

**13. COMMENTS OF THE CITY STAFF**

Deputy City Clerk Tussey apologized for the technical difficulties but felt they made it through pretty well given the circumstances. She voiced her gratitude to all those who stuck it out and that everyone did a really good job of taking their time, being respectful, and mindful of that. She thanked everyone on Zoom and in the room for attending, and the board for their work.

Library Director Berry had no further comments.

**14. COMMENTS OF THE BOARD**

Boardmember Kuszmaul clarified that Chair Finn will be giving the LAB report at the next City Council meeting. She voiced her appreciation for everyone’s comments on the policy and thanked Deputy City Clerk Tussey.

Boardmember Fair voiced his appreciation for both sides of the issue and how the points made him consider each side. He thanked everyone for their time.

Chair Finn shared how proud she is of Homer, of everyone who came, and of the board for being listeners. She was very happy with how the meeting went and how the discussion came from people’s hearts, their backgrounds, their intellect, and passion. She thanked Ms. Tussey for her work.

**15. ADJOURN**

There being no further business to come before the Board, Chair Finn adjourned the meeting at 10:21 p.m. The next regular meeting is Tuesday, January 17, 2023 at 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar.

  
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RACHEL TUSSEY, CMC, DEPUTY CITY CLERK II

Approved: January 17, 2023