

Bozeman Public Library Board of Trustees Regular Meeting
Library Board/Staff Conference Room
Bozeman Public Library
Wednesday, September 16, 2009
4:00 P.M.

ATTENDANCE

Present: Trustees: Ron Farmer, Chair; Judy Mathre; Jacki McGuire; Donna Swarthout; Jeff Rupp, City Commission; Paula Beswick, Foundation; Lois Dissly, Staff; and Alice Meister, Director. Guests: Michael McGee Jr.; Salal Huber-McGee; Chris Liberty, architect; Assistant City Manager Chuck Winn; City Planner Andy Epple; Assistant to the City Manager Brit Fontenot; Assistant Planner Courtney Kramer; Assistant City Attorney Tim Cooper; Jeff and Katherine Ball; Gary Gullickson; Lynn Peterson-Maher; and Jane Behr.

CALL TO ORDER

The meeting was called to order at 4:01 p.m. by Chair Farmer.

**ITEMS FOR DISCUSSION:
MCGEE APPLICATION**

Chair Farmer changed the agenda to allow for a discussion on Michael and Salal McGee's request for an easement for fire truck access into the alley that currently is on Library land. They wish to build an accessory dwelling (ADU) at the rear of their 332 South Church Avenue lot, which is accessed by the Library alley. However, a hammerhead access would be needed there as the Fire Department requires a turnaround since it does not back fire trucks out of streets or alleys; the Trustees would need to allow an easement for this to occur, which involves six properties affected by the lack of through access in this alley as well as the Library. Salal McGee noted that it is the smallest turnaround they and their architect Chris Liberty could devise, and it would be useful for the Library as well. She requested that they work with the Library on this project. The new property would be too far off Church Street that it could not be used by the Fire Department, as a turnabout needs to be within 150 square feet of the building. Moving the AUD within 150 feet of Church or adding a sprinkler system could be done in the new building in lieu of the turnaround, but Michael McGee noted the expense or difficulty of doing either. Farmer asked about continuing the alley to Wallace; Cooper noted the possibility that the southern portions of S. Wallace Avenue were vacated by the City, making this option unlikely to succeed. Gullickson said he represented two properties at 404 and 336 South Church, and he supported the hammerhead access for fire protection. He also said there were two other property owners not there, who would support it. This would allow the other neighbors to do an addition if they so desired in the future, as currently the only access is the Peets Hill parking lot. Jeff Ball, who lives at 323 S. Wallace Avenue, noted his community involvement through service on the Parks and Recreation Board and the City-Library Lands Task Force in 2005. He felt the spirit of the Library bond referendum in 2001 was to cherish and hold dear the concept of open space. Also CTEP and parkland funds have been used to purchase the alley. Granting of an easement for four to six land owners goes against that whole concept of open space. As a licensed title examiner, he explained that the alley was platted and developed in 1881; currently it is a land-locked alley where the neighbors on that block use Church rather than the alley. The owners bought their properties without thinking they would use the alley.

Gullickson has put vehicles in the alley, which has caused the McGee family to drive onto Library property to get around his vehicles. There has been a lack of stewardship and attention to this area with no policing by the City and has been allowed to look cluttered. Jeff Ball felt it would not be honoring the federal funds nor the spirit of the bond to grant an easement to private homeowners. Katherine Ball, who lives at 323 S. Wallace Avenue, does not support the easement for these individuals as she does not desire any more traffic nor development. She has seen lots of abuse on this property and been frustrated with the alley issue. She supports the public's interest and sees the hammerhead as future abuse, since people will park there for the Bogert Farmer's Market and other reasons. The McGees do have options other than taking public land as she felt the land is not intended for private use, since it needs to be used for Library purposes according to articulated principles of the Trustees. Gullickson said that he and the neighbors have had full right of way access to the alley since 1992, and the hammerhead access is needed by the neighbors if they want to exercise their zoning rights. Cooper noted that the Trustees could do an informal vote only, as the issue was not noticed for action. This request came before the Commission this past Monday, where it was publicly advertised, but has been continued. Assistant Planner Kramer noted that it needs the City Commission review after being tabled this past Monday, and the Commission wants to know the Library Board's position on this issue as it will be reviewed again on October 5. If the City Commission conditionally approved the project, the applicants could return to the Library Board for a more formal request, at which time the Trustees could decide. Mathre asked who owns the alley, and Cooper responded that the exact legal status of the alley is uncertain. The alley does exist, and there are currently three options: 1) create a mutual access easement amongst the neighbors on S. Church who use the alley; 2) go through a quiet title process and figure it out in court; and 3) just assume it is an alley with the risk that someone could challenge that assumption. The applicant is required to show they have legal access, which everyone seems to agree is true. The alley was platted when records were scarce, but there is evidence of a right of way. There was an inquiry about the vacation of the north part of the alley, but Cooper pointed out that is not a formal vacation. It was noted that if the northern access was there, this condition would not have come forward. Salal McGee felt that the hammerhead turnaround was the best solution and the most amicable with the least impact on the property. McGuire asked about paving the alley and was told that the City would put in an all-weather gravel surface. Gullickson noted that there are still some NorthWestern Energy concerns to be resolved. He also said that the neighbors have paid to mow the grass next to the alley, since it was not being maintained by the Library or City. Jane Behr wondered about a fire at the Peets Hill area and how that would be fought. Kramer noted that this turnaround does not have to happen, as the McGees could come back with other options. Cooper said that the sale of the bonds to purchase land and build the Library building did not preclude the Trustees from doing anything such as selling land or granting an easement. All proceeds must go back to the Library in order to address the tax exempt status. The Trustees have formulated some principles about library land at different points in time, which underscore the value of open space. Farmer said the property would be difficult to sell, and this request requires a permanent easement. Rupp asked about appraisals required for a valid easement. Cooper

noted that the Library has authority to deal with the land, and no appraisals are legally required; however, some form of compensation such as one dollar could be used to make the easement legal. Farmer asked the Trustees for an informal consensus. Mathre felt that this request involved public safety and asked why the fire trucks cannot back out. The weeds/ grass allowed to grow next to the alley presented a serious fire hazard, which has since been mowed. However, the City needs to continue to mow that area for the benefit of the neighbors and the Library. She is in favor of granting an easement to the McGees for the hammerhead turnaround. Swarthout has concerns about giving up open space land and would like to see the City address the issue. She is not in favor of granting an easement. McGuire felt the Library was guided by the concept of open space, and allowing an easement would open up the alley for traffic and parking. She felt that the McGee property could go with a sprinkler system. She is not in favor of granting an easement. Farmer abstained as the McGees are clients of his bank. The consensus is that the majority of the Trustees are not in favor of an easement at this point in time, so the project should not proceed beyond this point. Kramer said it was a Library Board decision regarding the land and not the Commission's decision, according to state statute which City Attorney Greg Sullivan researched. She asked if the Trustees would allow further input from the McGees if the City Commission conditionally approves the project, especially since one Trustee is not present, and Farmer responded affirmatively. At 4:50 p.m. all guests left the meeting.

APPROVAL OF MINUTES

The August 19, 2009 Library Board minutes were approved as submitted with three small corrections.

CORRESPONDENCE

Meister read public comments which included a request for specific educational math books for kids. Another requested a new edition of the "Guinness Book of World Records." Someone wanted an alphabetical list of DVDs. A patron suggested that the subject search in the computer catalog be set to lead to books that have the word in the title, as the search system could be improved. Someone requested DVDs with subtitles or closed captions for the deaf and hearing impaired patrons. Several patrons love the Playaway books and wish there were more titles. An individual wants the temperature lowered on the scalding hot water in the restrooms. A patron who was bragging about the Library stopped to "re-admire" the website and found a typo, which was corrected. Meister received a thank you from a patron for finding a book for her. Also she received thanks for allowing AutoMark to be demonstrated in late October, which is a voting tool for visually-impaired people. Another person thanked her for allowing the Library to be used during the Children's Museum run. Terri Dood received several e-mails of thanks for genealogical information she secured for those patrons. One person said, "As far as I'm concerned you and your library get an A+++." Molly Pratt sent a thank you for her party and dedication of a bench in her honor. An individual wrote to request that the Headwaters Chapter of the Lewis and Clark Trail Heritage Foundation, Inc. be allowed to donate a collection of significant books, maps, pamphlets, pictures, paintings, and other artifacts to the Library, which would then be "buried" in a "cache" to be opened in 2085. The writer also encouraged the Library and/or Headwaters Chapter to hold an event every five years to continue community interest and awareness of the cache. After discussion, the Trustees decided to not accept the

collection with its stipulations, as the Montana Room policy says, "Realia, antiques, artifacts, etc. are not sought nor accepted since other organizations in the community have the collection of those items as their mission." Also the Trustees didn't want to obligate the future staff of 2085 to the conditions in the letter. This information will be conveyed to the letter writer.

FRIENDS OF THE LIBRARY REPORT

The Friends met September 14 when they decided to purchase a scanner to help determine book prices. They also decided on their annual meeting, which will take place on October 8 in the small Conference Room from 6-8 p.m. The concept is to "Meet the Friends Board," so refreshments will be served. The Friends are preparing for their November 13-15 book sale. Book bags and postcards of the Library are now on sale in the coffee shop.

FOUNDATION REPORT

Beswick reported that 3,000 students and 200 members of the general public attended the Steve Lopez convocation, where he spoke about the One Book-One Bozeman selection "The Soloist." He also spoke at a MSU honors class and did the "Real Time" radio program with George Cole. Beswick said he was very impressed with the Bozeman. He spoke to Bozeman Daily Chronicle reporters and sold 76 of his books at a public book signing, which 100 people attended, including 25 eighth graders from Chief Joseph. Beswick spoke to a literature class at the high school, and Bridger Alternative School is reading his book. There were approximately 90 people at a panel discussion on mental health and homelessness, and musician Kelly Roberti played at four high school music classes. The school board was very supportive of the One Book-One Bozeman program. The Senior Center has also been participating in book discussions on the book. The Foundation is the recipient of the 10 Cents for Charity at Sola Café this month. About 100 people attended a showing of the film based on the book. On September 21 Roberti will be at the Library for a program. There have been many complimentary emails about the program. Swarthout said she wished he had spoken outside the context of the book, especially about life lessons learned. Next year's book choice is already being discussed. The Children's Festival of the Book is this weekend, where several well-known children's authors and illustrators will be featured. Friday night is the reception, and there will be all-day workshops and activities on Saturday. The S.A.T. writing workshops will start September 30th. The next Foundation Board meeting is Thursday, September 24th at 1:30 p.m. in the Board Room.

DIRECTOR'S REPORT

Meister noted that August statistical report showed a 7.91% increase in circulation along with a 70.53% increase in website visits and a 83.52% increase in adult program attendance. At 21% of the fiscal year completed, the Library has 83.61% left in its budget. Ethics training sessions for citizen boards are scheduled for September 17 and September 30 at City Hall. The Library is offering three author programs this month. The first one was September 15 when literary critic and editor Donna Seaman visited the Library and discussed the creation of "Home Ground," an innovative collaborative dictionary of landscape terms. On September 22 Christopher Preston will speak about his recent biography of the father of environmental ethics, Holmes Rolston, in his book "Saving Creation: Nature and Faith in the Life of Homes Rolston III." The third author program is September 27 when M. Mark Miller will present first-person accounts of trips to Yellowstone Park from his book "Adventures in

Yellowstone: Early Travelers Tell Their Tales.” Books will be on sale at each program. The Library is also sponsoring a papermaking workshop tonight with Ellie Schiedermayer, who comes from a long line of papermakers. The Marketing Committee is working with MSU College of Business students to develop a marketing plan based on a patron/non-patron survey. Cindy Christin and Meister met with three students to discuss their participation in the project. Meister will be attending a Montana Shared Catalog (MSC) meeting on October 1-2 in Helena. A recommendation that will come before the MSC group is standardizing check out periods so that the circulation period is four weeks instead of three weeks. Western States and Territories Preservation Assistance Service is offering a two-part workshop on “Protecting Library & Archives Collections: Disaster Preparedness, Response & Recovery” in Bozeman and Great Falls. The first one ended today, and the next one will be October 14. Dissly, Dood, Nancy Stiner, and Meister plan to attend both sessions. Alice Ridenour, a faithful volunteer for 25 years, is moving; there will be a potluck breakfast for her on September 21st. A flowering tree will be planted in her honor. A staff member reported that a volunteer inappropriately pushed her, which is the second time he has done something similar. Meister talked to him, and he apologized to the employee. A patron nearly got into a fight with another patron at the Library; he has been a problem to other staff members as well. More hate literature has been found and reported.

**BOARD MEMBERS' AND
CITY OFFICIALS' REPORTS**

Rupp said that the budget would be approved on September 28th, later than usual due to appraisals being late. He also made remarks about Alice Ridenour's volunteer work throughout the community and wished to thank her publicly for her work.

PUBLIC COMMENT

There was none.

ADJOURNMENT

The meeting was adjourned at 5:34 p.m. The next regular meeting will be Wednesday, October 21, 2009, at 4 p.m. in the Library Board/Staff Conference Room.