

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 19, 2018 at 6:33pm with Council President Dorothy Granger presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 19, 2018

Roll Call: Ruff, Sturbaum (arrived at 6:34pm), Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo
Members Absent: None

ROLL CALL [6:33pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION [6:33pm]

Councilmember Isabel Piedmont-Smith moved and it was seconded to approve the minutes of September 5, 2018. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:35pm]
September 5, 2018 (Regular Session)

Piedmont-Smith spoke about the 2nd Annual South Central Indiana Opioid Summit, which had been held over the previous two days.

REPORTS [6:35pm]
• COUNCIL MEMBERS

Granger also spoke about the Opioid Summit and thanked the organizers and participants.

Councilmember Steve Volan spoke about the process by which the Council and its committees would consider legislation that would be brought forward later that evening.

Councilmember Jim Sims thanked the people who had communicated with the Council about impending legislation. He spoke about the Opioid Summit and expressed gratitude that opioid addiction was not being approached as a criminal matter.

There were no reports from the Mayor and city offices.

• The MAYOR AND CITY OFFICES

There were no reports from Council Committees.

• COUNCIL COMMITTEES

Bo Johnson, AFSCME Representative, spoke to the Council about recent contract negotiations.

• PUBLIC

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Volan moved and it was seconded that Ordinance 18-11 be introduced and read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendations for Amendment 01 of Ayes: 8, Nays: 0, Abstain: 0; Amendment 02 of Ayes: 8, Nays: 0, Abstain: 0; Amendment 03 of Ayes: 8, Nays: 0, Abstain: 0; and the committee do-pass recommendation for Ordinance 18-11 as amended of Ayes: 7, Nays: 0, Abstain: 1 (Piedmont-Smith).

Volan moved and it was seconded that Ordinance 18-11 be adopted.

Volan moved and it was seconded to limit initial discussion and questioning on Ordinance 18-11. The motion was approved by voice vote.

Jim Blickensdorf, Chair of the Parking Commission, presented the legislation. He displayed the 2017 preliminary financial results and explained that the parking system was operating at a deficit. He explained that both the Parking Commission and Desman Design Management had studied the city's parking system to create recommendations, many of which had been incorporated into the ordinance. He briefly noted the various changes proposed by the ordinance. He responded to criticisms and concerns people had voiced about the proposed changes.

Sandberg asked how Blickensdorf would respond to people who believed parking was an amenity that the city should provide or subsidize.

Blickensdorf said that the development of the downtown area and Bloomington as a whole meant that the city needed to manage its parking assets responsibly to avoid the need to build more parking. He said part of responsible management meant pricing the parking appropriately. He noted there were many options for parking and suggested the city could do a better job of communicating those options.

Rollo asked why an 85% occupancy rate was the optimal level for parking.

Blickensdorf explained how research demonstrated that changes in pricing affected demand and noted the different ways pricing could be used strategically.

Rollo asked if prices could also be lowered in certain low-usage areas to encourage people to park in those areas.

Blickensdorf said the idea had been discussed and suggested some areas where that might be appropriate.

Sturbaum asked if the locations of free parking could be displayed.

Blickensdorf said he would pull up those locations on the map.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:46pm]

Ordinance 18-11 To Amend Title 15 of The Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Amending Chapter 15.32 (Parking Controls) to Make Changes to Limited Parking Zones and to Modify Parking Allowances for Certain Vehicles; Chapter 15.36 (Resident-Only Parking Permits) to Clarify Placement on On-Street Parking Spaces; Chapter 15.37 (Residential Neighborhood Permit Parking) to Adjust the Boundaries of Neighborhood Parking Zones and the Fees Associated With the Same; Chapter 15.40 (Municipal Parking Lots, Garages and On-Street Metered Parking) to Adjust the Times and Rates for Parking in Off-Street Facilities; Chapter 15.41 (Removal and Impoundment of Vehicles) to Make Minor Changes Reflecting the Administration of this Section; and Chapter 15.64 (Traffic Violation Schedule) to Increase the Fine for a Class D Traffic Violation

Council Questions:

Piedmont-Smith restated Rollo's question about the 85% occupancy rate and asked for more clarification. Ordinance 18-11 (cont'd)

Blickensdorf said that rate was an industry standard that had been used in many previous studies.

Volan said that rate meant that a block with eight to ten parking spaces would have roughly one spot available at all times.

Sims asked what options were available for part-term workers who worked in the downtown area.

Blickensdorf said that the ordinance proposed making permits available for sale, allowing workers to park in certain downtown areas. He also pointed out that there were alternative modes of transportation that the city was encouraging through its recent adoption of the city's Comprehensive Plan.

Rollo asked Blickensdorf to comment on the notion that free parking did not exist because the cost of parking could be internalized into the cost of nearby goods and services.

Blickensdorf thought that was correct and that parking costs were also built into lower wages for employees.

Volan asked Blickensdorf to comment on how his employees parked downtown.

Blickensdorf said his employees had a variety of approaches for getting to work, including walking, bicycling, and carpooling. He said those who parked had to park in a garage or at a meter.

Margaret Clemens voiced concerns related to the legislation.

Public Comment:

Blickensdorf responded to Sturbaum's earlier request to display the locations of free parking. He indicated on a map where such parking was located.

Council Comment:

Rollo asked if the rates were similar to those in comparable cities.

Blickensdorf said yes and displayed a chart that showed a rate comparison.

Rollo asked for someone to comment on the idea that raising rates might reduce social equity.

Volan commented that setting prices at an appropriate level was the best way to ensure that parking was not being overused. He noted that there was a possible amendment that would help provide parking to volunteers working with not-for-profit organizations. He suggested such a program might eventually be extending to individuals who could not afford parking.

Blickensdorf commented that artificially low parking rates meant that general tax payers were subsidizing the parking system. He said that put a strain on wages and costs of goods and services, which all impacted low income individuals. He displayed a chart with comparative information, noting that Bloomington's rates and the amount of fines were lower than comparable cities.

The Council discussed how best to handle the introduction of amendments and consideration of the ordinance.

Rollo moved and it was seconded to postpone discussion of Ordinance 18-11 to the next session of the Council.

Motion to postpone consideration of Ordinance 18-11

The motion to postpone discussion of Ordinance 18-11 received a roll call vote of Ayes: 4 (Sturbaum, Sandberg, Sims, Rollo), Nays: 5, Abstain: 0. FAILED.

Vote on motion to postpone consideration of Ordinance 18-11 [7:51pm]

Piedmont-Smith moved and it was seconded that Amendment 01 to Ordinance 18-11 be adopted.

Amendment 01 to Ordinance 18-11

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and amends Section 12 of Ord 18-11 to make clear that only residents of single household detached dwellings are eligible for Neighborhood Zone parking permits and to make clear that each single household dwelling may apply for one visitor pass. The amendment also makes a change to Section 15 to correct the title of the Parking Services Director.

Piedmont-Smith explained the purpose of the amendment.

The motion to adopt Amendment 01 to Ordinance 18-11 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 18-11 [7:53pm]

Volan moved and it was seconded that Amendment 02 to Ordinance 18-11 be adopted.

Amendment 02 to Ordinance 18-11

Amendment 02 Synopsis: This amendment is sponsored by Councilmember Volan and provides that in the new Garden Hill Residential Zone, Zone 6, and from the period of Aug 15-May 15, the Zone will be in continuous effect from 8:00 a.m. on Thursday to 8:00 a.m. on Sunday. Outside of this window, Zone 6 shall be in effect from 8:00 a.m – 5:00 p.m., as other residential zones.

Volan explained the purpose of the amendment.

Piedmont-Smith asked why the hours of 8:00 a.m. – 5:00 p.m. from Monday to Thursday were included in the hours of enforcement if the residents of Garden Hill did not care about enforcement during those hours.

Council Questions:

Volan clarified that residents were ambivalent toward enforcement during those times. He said the main concern was the enforcement during the weekend.

Granger asked for any additional feedback.

Blickensdorf pointed out that the Parking Commission had supported the creation of the zone and the hours of enforcement, but cautioned that the cost of doing so might not have been included in the 2019 budget.

Scott Robinson, Assistant Director of Planning and Transportation, voiced concerns about keeping the hours of enforcement consistent across zones, as well as the availability of staff to enforce the new zone.

Volan pointed out that the idea for the new zone had been considered for a few years. He said there were different types of enforcement, ranging from active enforcement to complaint-driven enforcement. He said without the zone there could be no type of enforcement. He said no one expected a police officer to sit in the zone for 72 hours straight, but thought the zone should be created to discourage certain behavior and to enable enforcement.

Council Comment:

Piedmont-Smith said she supported the amendment and that the neighborhood had faced a number of challenges with noise, traffic, and parties. She thought the amendment was an important step to help address some of those issues for the residents of the neighborhood.

Volan said that the neighborhood zone was discussed during the previous consideration of a planned unit development (PUD) at Dunnhill. He thought the neighborhood zone was important as a response to that PUD and other high-occupancy rentals.

Amendment 02 to Ordinance 18-11 (cont'd)

The motion to adopt Amendment 02 to Ordinance 18-11 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 02 to Ordinance 18-11 [8:10pm]

Chopra moved and it was seconded that Amendment 03 to Ordinance 18-11 be adopted.

Amendment 03 to Ordinance 18-11

Amendment 03 Synopsis: This amendment is sponsored by Councilmember Chopra and raises the fee for a violation of Chapter 15.34 "Accessible Parking for People with Physical Disabilities" from \$100 to \$150. \$150 violations are now categorized as a new "Class I" violation. The amendment also makes a technical correction to Section 15.64.010 by deleting a redundant provision; this deleted provision is captured under the new Class I violations.

Chopra explained that the amendment raised the fee for parking in an accessible parking spot without a permit.

The motion to adopt Amendment 03 to Ordinance 18-11 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Rollo out of room).

Vote to adopt Amendment 03 to Ordinance 18-11 [8:12pm]

Chopra moved and it was seconded that Amendment 04 to Ordinance 18-11 be adopted.

Amendment 04 to Ordinance 18-11

Amendment 04 Synopsis: This amendment is made at the request of the Clerk and sponsored by Councilmember Chopra. It makes clear that the Clerk, the Parking Enforcement Manager, and the Parking Services Director may void parking citations even in instances where the citation is not appealed within the required 14 days. It also gives the aforementioned persons the authority to reduce fines to warnings and to reduce escalated fines for Class D violations back down to the initial citation fine.

Chopra explained the purpose of the amendment.

Volan asked what situations the amendment was meant to address.

Council Questions:

Bolden explained that part of the reason for the suggested amendment was that the ability of the parking enforcement manager to void tickets had been inadvertently removed some years ago. She said the amendment reinstated that ability. She explained that sometimes errors were discovered outside of the normal 14-day appeal window, through no fault of the appellant. She said the amendment allowed the Clerk's Office to address such situations.

Piedmont-Smith asked why the amendment was so lengthy.

Bolden explained that the amendment made the same change in language in multiple sections of the code, as different types of parking violations were contained in different sections.

Stacy Jane Rhoads, Deputy Council Administrator/Attorney, added that the amendment did add new language authorizing the clerk to reduce certain escalated fines back down to the original amount.

The motion to adopt Amendment 04 to Ordinance 18-11 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Piedmont-Smith).

Vote to adopt Amendment 04 to Ordinance 18-11 [8:19pm]

Rollo moved and it was seconded that Amendment 05 to Ordinance 18-11 be adopted.

Amendment 05 to Ordinance 18-11

Amendment 05 Synopsis: This amendment is made at the request of the Administration and is sponsored by Councilmember Rollo. This amends Ord 18-11 such that all municipal garages are enforced 8:00 a.m. Monday through 4:00 a.m. Sunday.

Rollo explained the purpose of the amendment

Volan added that the amendment did not change the price for any parking, but altered the times of enforcement for different garages. He asked for additional comment to clarify that the pricing changes were already contained in the proposed ordinance.

Council Questions:

Robinson confirmed that Volan was correct. He said the amendment was meant to standardize the hours of enforcement in the garages.

Volan asked if the nearby hotel was concerned about the proposed changes.

Robinson relayed that the hotel did not believe the proposed changes would have a meaningful impact on its operations.

Chopra pointed out there were still inconsistencies between the hours of enforcement for metered on-street parking and parking garages.

Robinson said the ordinance attempted to bring as much consistency as possible to the meters, surface lots, and garages. He said there were still some difference between each type of parking option.

Piedmont-Smith asked for clarification on the existing hours of enforcement.

Blickensdorf explained the current enforcement hours and restated the changes being proposed.

The motion to adopt Amendment 05 to Ordinance 18-11 received a roll call vote of Ayes: 8, Nays: 0, Abstain:1 (Chopra).

Vote to adopt Amendment 05 to Ordinance 18-11 [8:33pm]

Volan moved and it was seconded that Amendment 06 to Ordinance 18-11 be adopted.

Amendment 06 to Ordinance 18-11

Amendment 06 Synopsis: This amendment is sponsored by Councilmember Volan and amends Section 25 and 37 of Ord 18-11 to address the parking concerns of the residents of Collins Center and fraternity and sorority houses located within Zone 5 and Zone 1. The amendment addresses these concerns by providing residents of the aforementioned access to neighborhood zone parking permits to achieve a 1:2 parking space-to-resident ratio.

Volan explained the purpose of the amendment and the concerns that motivated it.

Piedmont-Smith asked why two greek houses, Acacia and Delta Chi, were listed if they were not allocated any permits.

Council Questions:

Volan said they listed all greek houses located in neighborhood zones.

Blickensdorf summarized how permits were allocated to some of the different greek houses and dormitories. He thanked the greek houses and dormitories for working with the Parking Commission while it crafted its recommendations. He also thanked city staff for helping with drafting the ordinance.

Amendment 06 to Ordinance 18-11 (cont'd)

Robinson suggested giving the Parking Services Director or Manager some discretion when allocating permits to the houses, as the number of residents in each house changes year to year.

Chopra asked if multi-family dwellings were able to also purchase permits, like the greek houses or IU dormitories.

Volan explained that such dwellings were not included when the program was originally created. He said the proposed ordinance honored the carve-outs that had originally been made for the greek houses and dormitories.

Keirston Snyder spoke about the number of residents in her greek house.

Public Comment:

Volan noted that the amendment meant there would be a net reduction in the number of permits available to greek houses and dormitories. He said it was meant to serve as a transition while the city considered how best to accommodate other groups, such as downtown employees. He urged support of the amendment.

Council Comment:

Piedmont-Smith said the amendment was problematic as there had not originally been outreach to the student body and greek houses. However, she was pleased that outreach had occurred later and she thought passing the amendment was better than not passing it. She said she still had concerns with parking for certain groups downtown.

The motion to adopt Amendment 08 to Ordinance 18-11 received a roll call vote of Ayes: 8, Nays: 0, Abstain:1 (Chopra).

Vote to adopt Amendment 06 to Ordinance 18-11 [8:54pm]

Volan moved and it was seconded that Amendment 06 to Ordinance 18-11 be adopted.

Amendment 08 to Ordinance 18-11

Amendment 08 Synopsis: This amendment corrects the boundaries of the description of the University Village Overlay defined by Bloomington Municipal Code Title 20 by including the address known as 403 E. 6th Street. The amendment also eliminates the references to "full time equivalents"/FTEs in the issuance of permits to employees. Further, the amendment makes clear that the designee of the Parking Services Manager may also issue permits pursuant to the limitations spelled out in BMC 15.37.210(b).

Volan and Blickensdorf explained the amendment.

Piedmont-Smith said she supported the amendment and appreciated the removal of references to full-time equivalents so that more businesses would be eligible for permits.

Council Comment:

The motion to adopt Amendment 08 to Ordinance 18-11 received a roll call vote of Ayes: 8, Nays: 0, Abstain:1 (Sturbaum).

Vote to adopt Amendment 08 to Ordinance 18-11 [8:58pm]

Rollo thanked the Parking Commission for its work. He stressed the importance of ensuring that the downtown remained accessible to people of all income levels.

Council Comment:

Piedmont-Smith acknowledged that the ordinance was complicated and thought it moved the city in the right direction of having the parking system paid for by those who used it. She said TIF funds had been subsidizing parking and the proposed changes would free up money to be used for other purposes. She said it was important to keep social equity concerns in mind, as Rollo had noted. She looked forward to more changes that would address that concern. She said that, similar to any change in code, the city would evaluate the work and respond accordingly.

Ordinance 18-11 (cont'd)

Volan said Bloomington was growing and had experienced increased density, but had deferred many needed updates to its parking system and infrastructure. He noted that there had been discussion about offering support to non-profit organizations but that the concept was not ready for an amendment. He hoped it would be brought forward as an ordinance once it had been more fully explored. He thanked those who had worked on the ordinance and urged support for it.

Sandberg said she would support a future amendment that would help support non-profit organizations. She said the Council needed the help and support provided by the Parking Commission and outside consultants who specialized in parking. She thanked the Commission and city staff for working together on the ordinance. She said the city could always make adjustments or amendments after it saw how the new changes were playing out.

Sims thanked the Parking Commission and city staff for their work. He said he supported the notion of a self-sufficient parking system but also said he was concerned with social equity. He expected that the city would continue to discuss ways to improve social equity.

Sturbaum said that the garages were originally built with the hope that they would one day become self-sufficient. He noted, however, that by subsidizing parking for years, the city had helped stimulate growth in the downtown. He thought it was a good thing that the city was at the point where it could make the changes proposed by the ordinance.

Ruff thanked all people who had worked on the ordinance. He said it was a complicated issue but people had put a lot of thought into the proposed changes. He said the Council would not pass the ordinance if it believed the changes would create severe social equity issues in the community. He thought there might be tweaks to make moving forward, but wanted to assure everyone that the Council was keeping social equity in mind.

Granger thanked those who had worked on the ordinance and said that the ordinance was not the end of the discussion. She said the city would receive feedback and make any necessary adjustments.

The motion to adopt Ordinance 18-11 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain:0.

Vote to adopt Ordinance 18-11 as amended [9:21pm]

Volan moved and it was seconded that Ordinance 18-15 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Ordinance 18-15 of Ayes: 6, Nays: 1 (Granger), Abstain: 1 (Volan).

Volan moved and it was seconded that Ordinance 18-15 be adopted.

Volan moved and it was seconded to limit discussion and questioning on Ordinance 18-15. The motion was approved by voice vote.

Paula McDevitt, Director of the Parks and Recreation Department, presented the legislation to the Council. She explained that one major responsibility of the department was to maintain and operate the Griffy Lake Nature Preserve. She gave a brief history of deer management efforts at the preserve. She explained that the management plan included reducing the number of deer to allow vegetation to recover from overbrowsing. She said previous efforts had included deer hunts, and annual hunts had been recommended moving forward. She detailed how the community hunting access program would work. She said that the proposed ordinance would allow such a program to be implemented.

Steve Cotter, Natural Resources Manager, said that the city hoped to conduct hunts over the next couple of years and eventually conduct such hunts in-house, which would lower the cost. He explained how the city had been monitoring the vegetation in the area and said the city would continue to do so as the hunts proceeded.

Kathleen Mills, Board of Park Commissioners President, said the Board supported the plan put forward. She said that the preserve had been a managed ecosystem for a long time, and that the proposed hunts were not drastic but a common method for dealing with deer overpopulation. She asked that the Council pass the proposed ordinance.

Sandberg asked if the hunters used for the culls would be experienced.

Cotter said that White Buffalo, the organization helping manage the hunts, would be reaching out to various hunting groups to find experienced hunters.

Piedmont-Smith asked where the city had received the recommendations for the amount of deer per square mile.

Cotter said those recommendations came from White Buffalo after recent sharp-shooting efforts.

Sturbaum asked if the long-term plan was simply annual hunts.

Cotter explained that once the correct population level was reached, there might not be a need for a hunt every year.

Sims asked whether conducting a count of the current deer population was necessary.

Cotter said that having an exact number would be nice but there were reasons why conducting a count was not imperative. He said the city was more concerned with the health of the vegetation, noting that different amounts of deer could do the same amount of damage depending on how much time they spent browsing in the preserve.

Ordinance 18-15 To Amend Title 11 (Lakes and Reservoirs) and Title 14 (Peace And Safety) of the Bloomington Municipal Code - Re: Amending Sections 11.08.040 (Prohibited Activities) and 14.20.020 (Discharging Firearms) of the Bloomington Municipal Code to Permit Firearm Hunting for the Purpose of Deer Population Control at Griffy Lake Nature Preserve

Council Questions:

Sims asked how the city would know when it has achieved the desired five deer per square mile goal if it did not conduct a count.

Cotter said the height of the vegetation would be informative. He said that camera data could also provide an estimate. He said actual counts could be expensive and unreliable.

Ruff asked if Cotter was aware of any effective use of counts in an open system like the one at the preserve. He also asked if deer reduction would continue, regardless of any number obtained through a count, if there were still evidence of overbrowsing.

Cotter said the management plan would be based on plant height and flowering data, along with a hunter-effort metric, which would measure how long it took for a hunter to remove a deer from the preserve.

Ruff asked why plant height and flowering affected the health and viability of plant species in the area.

Cotter explained that plants' reproductive ability depended on energy stores, which were depleted as deer overbrowsed the vegetation.

Chopra asked if the proposed plan and the reasons behind it only applied to the preserve.

Cotter said that was correct. He said the city was also concerned with public safety around the area, but the main focus was the health of the preserve.

Ellen Jacquert spoke in favor of the ordinance.

Public Comment:

Anne Sterling spoke against the ordinance.

Julie Gray spoke against the ordinance.

Maria Heslin spoke against the ordinance.

Jan Steenblik spoke in favor of the ordinance.

Jennifer Hoffman spoke against the ordinance.

Eric Knox spoke in favor of the ordinance.

Rollo noted that a recent poll showed that 65% of the community supported a recent sharpshooting effort. He asked if Cotter would like to comment further on the poll.

Council Comment:

Cotter added that the poll was conducted by a graduate student and that 65% of respondents said they agreed with the sharpshooting effort to some degree.

Granger moved and it was seconded that Amendment 01 to Ordinance 18-15 be adopted.

Amendment 01 to Ordinance 18-15

Amendment 01 Synopsis: This amendment is sponsored by Cm. Granger and would postpone the initial hunt at Griffy Lake until the Parks and Recreation Department demonstrates that there is: 1) a count of deer in the Griffy Lake Preserve done by a drone or other proven counting method; 2) a written commitment from Indiana University for appropriate, innovative collaboration on deer management in the Griffy area; and, 3) an evaluation of the data on the ecological impact in the Griffy Lake Preserve since the December 2017 deer reduction via sharpshooting.

Granger explained the purpose of the amendment. She did not want to see annual hunts and thought that any efforts should be made in collaboration with Indiana University (IU).

Cotter explained that the city had been in communication with IU and had encouraged the university to take action as well. He said there had been some cooperation by IU already and more meetings were planned to discuss future management plans.

McDevitt said that the data on the ecological impact of the sharpshooting efforts would take time to collect and analyze.

Sims asked what management options Cotter anticipated discussing with IU.

Cotter said bow hunting might be discussed, but the city hoped to encourage IU to remove some deer from the property neighboring the preserve.

Chopra asked if the amendment would in effect postpone any action before the end of the year.

Granger said that was correct.

Ruff said he was not aware of any effective method of conducting a count in an open system where the deer move freely from one location to another. He asked how a count would be conducted.

Granger said she proposed conducting a count because it had been requested by many constituents. She said Cotter could comment on the methodology of conducting the count.

Cotter said there could be aerial counts, infrared counts, using cameras to extrapolate and estimate populations. He said it would be difficult to define an area and get an accurate count. He said the area would need to be extended beyond just the preserve property to get an idea of how many deer were using the area.

Rollo pointed out that delaying a cull could reverse any gains already made to help the vegetation grow back. He asked if that was correct.

Cotter said yes.

Chopra asked whether the administration did not want to do a count because it was unnecessary.

Cotter said that a count was not necessary because it would not indicate how long each deer spent browsing in the preserve. He said plant data provided more relevant information.

Ruff asked whether periodic culls would be needed even after the plant vegetation had been sufficiently rejuvenated.

Amendment 01 to Ordinance 18-15 (cont'd)

Cotter said that was likely, barring the reintroduction of predators or some disease to the deer population.

Ellen Jacquert spoke against the amendment.

Public Comment:

Maria Heslin spoke in favor of the amendment.

Julie Gray spoke in favor of the amendment.

Eric Knox spoke against the amendment.

Jan Steenblik spoke against the amendment.

Allison Hess spoke in favor of the amendment.

Anne Sterling spoke in favor of the amendment.

Steven Bakovic spoke about possible explanations for the increase in deer population.

Rollo pointed out that deer could act like invasive species when there were no natural predators, which would actually lead to a decline in the overall health of the herd. He said the city's efforts were meant to prevent that. He said the amendment would prevent the cull for 2018, which would setback the efforts at vegetation rejuvenation. He said counts were unnecessary and were not the industry practice. Instead he agreed that the city should use the plants as a determinate for deer density. He said that would show whether the ecosystem was in balance. But he pointed out that the results would take longer than a few months to appear.

Council Comment:

Sims said that between the deer or the vegetation he would prefer to err on the side that allowed the vegetation to recover.

Chopra said she would not support the amendment. She thought the amendment was a stall tactic by those who opposed killing any deer. She thanked the experts who had provided information relevant to the amendment and to the legislation.

Piedmont-Smith said she opposed the amendment for the reasons stated by Rollo. She thought the amendment was not just a stall tactic, but a way to prevent the deer cull completely. She said it was important to take a holistic approach to responsibly manage the environment at the preserve.

Ruff pointed out that knowing how many deer were in the preserve might be nice, but it was in no way necessary to help the city achieve its goals of restoring the vegetation and ensuring balance in the ecosystem.

Volan agreed that the amendment was a stall tactic, although he said that the issue deserved to be discussed. He said he would not support the amendment. He thought the amendment's requirement that the city obtain a binding commitment from IU was pointless as IU would not be likely to do so. He acknowledged that the issue was very personal to a lot of people, but said the city had to be concerned with the environment as a whole at the preserve.

Granger said she knew the amendment would not pass, but thought it was important that she introduce it to represent the interests of those in the community who opposed the planned deer cull.

Ordinance 18-15 (cont'd)

The motion to adopt Amendment 01 to Ordinance 18-15 received a roll call vote of Ayes: 1 (Granger), Nays: 8, Abstain: 0. FAILED

Vote on Amendment 01 to Ordinance 18-15 [11:37pm]

Sturbaum said he did not like having to kill deer but acknowledged that the science and facts surrounding the situation indicated it was necessary. He said he would support the ordinance.

Council Comment:

Rollo said that humans were living through a period of mass extinction, caused in part by a loss of habitat. He said protecting the habitat at the preserve was an important responsibility. He said that the absence of apex predators meant that it fell to humans to control the deer population, and there were many experienced people able to do that. He said that allowing the deer population to go uncontrolled would threaten the diversity of many other plant and animal species in the preserve.

Chopra thought it was preferable that the cull was to be carried out by local hunters as they were more likely to have an interest in the outcome. She also pointed out that the meat from the hunt could be donated to the Hoosier Hills Food Bank.

Sandberg saw the issue as one of balance and said the science supported the need to manage the deer in the preserve.

Ruff said the ordinance passing would hopefully mean that the issue would not continually come before the Council. He thanked those that had worked on the issue for their leadership. Ruff said that many of the arguments put forward against the proposed ordinance were unfounded and unfair. He said hunting was a respectful and natural way of providing a check on the deer population.

Sims said he would support the ordinance because he did not want to lose the progress made by previous efforts to control the deer population.

The motion to adopt Ordinance 18-15 received a roll call vote of Ayes: 8, Nays: 1 (Granger), Abstain: 0.

Vote on Ordinance 18-15 [12:00am]

LEGISLATION FOR FIRST READING

Volan moved and it was seconded that Ordinance 18-14 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 18-14 To Expand a Planned Unit Development (PUD) and Amend the Associated District Ordinance and Preliminary Plan - Re: 4500, 4518 E. 3rd Street & 306 S. State Road 446 (Fountain Residential Partners, Petitioner)

Volan moved and it was seconded to refer Ordinance 18-14 to the Council Land Use Committee.

The motion to refer Ordinance 18-14 to the Council Land Use Committee received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Piedmont-Smith moved and it was seconded to suspend the rules to allow a meeting of the Land Use Committee to be scheduled for September 28, 2018 at noon.

The motion to suspend the rules received a roll call vote of Ayes: 9,
Nays: 0, Abstain: 0.

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

Council Attorney Dan Sherman spoke about the upcoming schedule.

COUNCIL SCHEDULE [12:06am]


The meeting was adjourned at 12:06am.


ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this
3rd day of October, 2018.

APPROVE:

ATTEST:


Dorothy Granger, PRESIDENT
Bloomington Common Council


Nicole Bolden, CLERK
City of Bloomington