In the Council Chambers of the Showers City Hall on Wednesday, October 15, 2014 at 7:30 pm with Council President Darryl Neher presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 15, 2014

Roll Call: Rollo, Ruff, Sandberg, Volan, Granger, Sturbaum, Neher, Volan, Mayer
Absent: Spechler

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

The minutes for the Regular Session of September 23, 2014 were approved by a voice vote.

APPROVAL OF MINUTES

REPORTS

- COUNCIL MEMBERS

Dorothy Granger apologized for her absence the previous week and added she was out of the country on a trip that had been planned for over a year. She also noted the importance of the budget, saying she thought it was one of the council's primary responsibilities. She hoped no one thought she was shirking that responsibility by being absent from that session.

Dave Rollo referenced two radio shows on WFIU on which he appeared with two members of Bloomington Advocates for Nonviolent Innovative Deer Stewardship, the group which opposed the Griffy deer cull. He noted that the purpose of the broadcast was to discuss the ethics of the deer cull, but instead most of the time was spent by the BANIDS members attempting to refute the findings and the science of the issue, which he said was futile. He said the damage to the understory of Griffy was documented by a number of biologists and other scientists. He also said BANIDS attacked the methodology and conclusions of the Shelton study, even though it was peer reviewed and published in the *Journal of Forest Ecology and Management*. The group did not believe the study affirmed high deer density. Rollo said that just wasn't true. He reminded the BANIDS group that if they believed the study to be flawed, they should have contacted the editorial board of the journal, which they had not.

In terms of the criticism over the lack of a deer count, Rollo said the point was to measure for effect, the result of which was already known. Rollo added that the Chief Ecologist at the Smithsonian said, "waiting to get numbers of deer in the face of obvious damage is a waste of time and resources."

He ended by highlighting the ethics of the situation which he said were the central question. Rollo said the two choices were either to cull the deer and restore the balance in the ecosystem, or to do nothing and allow high deer density which causes ecosystem damage. This would mean declines in song birds and plant life. He noted grazing deer would eat acorns and seeds which small mammals relied on over winter. He said this caused small mammals to starve which meant their predators (foxes, owls, and bobcats) also had no food.

He summarized by saying the ethical question was whether to take a systems approach and restore the system where all organisms thrived, including deer, or do nothing.

Steve Volan mentioned an event by Open Streets Bloomington entitled "Rediscovering Streets as Public Spaces". He described how current rhetorical language actually originated with different meanings unknown by most. He cited the word "Jay Walking" which meant something different until 1924 when auto manufacturing created the idea that streets were for cars and not for people. This occurred by changing the message from speeding cars being blamed for children's deaths to careless pedestrians, therefore the negative term "Jay Walking" was coined.

- The MAYOR AND CITY OFFICES

Dorothy Granger read a Proclamation from the Mayor honoring the city's Commission on the Status of Women by proclaiming October 15, 2014 "Commission on the Status of Women Day."

Cathi Crabtree, President of the Commission on the Status of Women, gave a report on the Commission focusing on 40 years of work. She

Report from the Mayor *(cont'd)*

recognized Charlotte Zietlow for her leadership in creating the vision and legislation for this Commission, despite opposition from then Mayor Frank McCloskey.

- COUNCIL COMMITTEES

There were no reports from council committees at this meeting.

- PUBLIC

Mary Catherine Carmichael spoke about the need for more Court Appointed Special Advocates (CASAs) to represent children who were victims of abuse and neglect in cases where children were not otherwise represented in the court process. She described the rate of abuse of children in this community and said Monroe County CASA had 126 cases, but only 93 had CASA representation. She urged participation in this program.

Laramie Wilson, resident of the south Griffy neighborhood, advocated for stopping any killing of deer in Griffy Park. She read some representative comments from citizens that she had gathered by tabling at the Farmers' Market in opposition to the Griffy deer cull.

Sandra Shapshay stressed that the Griffy deer cull plan was predicated on a false premise that there was an overabundance of deer, which she called an unjustified assumption. She asserted the deer pellet count was inaccurate, damage to plants at Griffy was extrapolated from the IU Nature Preserve, and ground cover damage was not supported by the Shelton study. In addition, she said, deer inhibited invasive plants in Griffy which had been identified as the number one danger to the area, therefore making deer desirable in that area. She said that BANIDS proposed an ordinance with a two year delay on the deer cull in order to collect data on a deer count.

Ann Sterling, Bryan Park neighborhood, distributed to the council the proposed ordinance authored by BANIDS that called for a two year delay on the Griffy deer kill and a ban on bow hunting within the city limits. She described bow hunting as an inhumane method of hunting since arrows rarely kill deer immediately, but rather caused long periods of suffering prior to death.

Maria Heslin, Professional Women Network, said next Wednesday Women's Success Network would be meeting at Hyatt Place at 5:30. She noted the article she authored about Meatless Mondays published in the InStride Magazine.

Heslin mentioned that it was exactly one month away from the scheduled deer kill in Griffy. She urged council to support ordinance 14-DEER proposed by the BANIDS which called for a two year delay in the kill and for closing the bow hunting loophole. She said that when such a dramatic change to the community character was proposed, it caused the tension that was currently occurring in the community. Heslin said that in almost every other aspect of life, we did better and we innovated. She added we had time to do better – in harmony.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions at this meeting.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Resolution 14-17 To Approve the Interlocal Agreement Between Mon County, the Town of Ellettsville and the City of Bloomington for Animal Shelter Operation for the Year 2015

It was moved and seconded that Resolution 14-17 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 9-0.
It was moved and seconded that Resolution 14-17 be adopted.
Patty Mulvihill, City Attorney, reminded Council that this Interlocal agreement was presented each year, but this year would be different. This Agreement essentially stated that the City of Bloomington agreed to house animals from Monroe County and Ellettsville at the City's Shelter, along with working to adopt those animals and in answering questions from the public. In return, the County and Ellettsville agreed to pay the City a specific dollar amount as reimbursement for those services.

The 2015 Animal Interlocal financial portion of the agreement was calculated using the 2013 Animal Shelter expenditures and dividing that by

Resolution 14-17 *(cont'd)*

the number of animals taken in by the Shelter from both the County and the Town of Ellettsville. That formula provided the three government agencies with a specific dollar amount that the County and Ellettsville must pay to the City.
The reimbursement rate for 2015 was:
Monroe County $310,067.53
Ellettsville 24, 983.47

Council questions:

Rollo asked about taking in animals from outside the county, and whether it was still fee-based. Mulvihill said that was still in effect, but was not a significant part of revenue.
He asked if the intake fee for out of county was the reason the intake numbers had dropped. Mulvihill said that data had not been computed, but she would get that information for the Council.

Ruff asked about the funding source for euthanizing animals. Mulvihill said she believed it was Shelter funds and not from an outside source.

There was no public comment.

Council Comments:
Mayer thanked Mulvihill for working on this and said he appreciated the new practice of billing for services rather than estimating costs.

Ruff noted how difficult the work of Animal Care and Control was and how gut wrenching it was for the staff. He added that it was an unfortunate but necessary activity for government. Ruff then compared feral cats and dogs who survived in the wild without host homes to the deer in Griffy that also survived in the woods.

Rollo said it was a good practice to assess a fee to other counties that brought their animals to Monroe County saying it was their responsibility to manage their animals whether it was euthanasia, adoption, or shipping to another county. He praised Lori Ringquist, Animal Care and Control Director, for her amazing work. Rollo reminded all that there was no objection to euthanizing the hundreds of cats and dogs during the past year for the public good, but there was an objection when euthanizing deer for the public good was mentioned.

Neher said the city was doing the dirty work of people who were not taking responsibility for spaying and neutering their pets. He recognized successes such as the volunteers and puppy trains that took dogs to other communities where there was a need for adoptable dogs.

Resolution 14-17 received a roll call vote of Ayes: 8, Nays: 0

LEGISLATION FOR FIRST READING

Ordinance 14-22 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Stop and Signalized

Intersections, One Way Streets, Restricted Turns on Red Light, Parking on Unimproved Surfaces, Angle Parking, No Parking, Bus Zones, and Appeals of Parking Violations

Ordinance 14-22

Ordinance 14-23 To Amend Title 17 of the Bloomington Municipal Code Entitled "Construction Regulations" – Re: Repealing and Replacing Chapter 17.16 "Unsafe Building Law"

Ordinance 14-23

PUBLIC COMMENT

There was no public comment at this portion of the meeting.

COUNCIL SCHEDULE

Dan Sherman, Council Attorney/Administrator, noted that there was an Internal Work Session scheduled for Friday, October 17, 2014 in the council library.

The meeting was adjourned at 8:42 pm. ADJOURNMENT

APPROVE:

Darryl Neher, PRESIDENT
Bloomington Common Council

ATTEST:

~~Regina Moore, CLERK~~ Andrew Larabee
Deputy Clerk
City of Bloomington