



Board of Park Commissioners
Regular Meeting
Minutes

Thursday, January 9, 2020
4:00 p.m. – 5:45 p.m.

Council Chambers
401 N. Morton St.

CALL TO ORDER

The meeting was called to order by Les Coyne at 4:00 p.m.

Board Present: Les Coyne, Kathleen Mills, and Lisa Thatcher

Staff Present: Paula McDevitt, Becky Higgins, Leslie Brinson, Marcia Veldman, Sarah Mullin, Crystal Ritter, and Kim Clapp

A. CONSENT CALENDAR

- A-1. Approval of Minutes - None
- A-2. Approval of Claims - None
- A-3. Approval of Non-Reverting Budget Amendments - None
- A-4. Review of Business Report - None
- A-5. Approval of Surplus - None

B. PUBLIC HEARINGS/APPEARANCES

B-1. Public Comment Period – None

B-2. Bravo Award – None

B-3. Parks Partner Award – None

B-4. Staff Introduction – None

B-5. Staff Recognition – None

C. OTHER BUSINESS

C-1. Review/Approval of 2020 Bloomington Community Farmers' Market Staff Recommendation

Mayor John Hamilton approached the podium. The market is a critical part of the local sustainable agriculture, and food equity efforts. It is too valuable to abandon as a city program, too important to the future to let wither. We need to do all that is possible to assure the market is truly inclusive and welcoming as a civic space. The administration urged the Board to allow the continued operation of the market in 2020, with adjustments and refinements.

Paula McDevitt, Administrator approached the podium. Sixty-seven years of experience, teamwork and dedication were relied on as staff navigated through an unprecedented 2019 Bloomington Community Farmers' Market Season. The department's success, accreditation status, and national award winning recognition is the result of not only the professional staff but the supportive City Administration, City Council, Board of Parks Commissions, Bloomington

Parks Foundation members, advisory boards, partners, volunteers and most importantly the community. If approved, the staff is committed to working, listening, creating and continuing the management of the Bloomington Community Farmers' Market.

Becky Higgins, Recreation Services Division Director approached the podium. In June of the 2019 Bloomington Community Farmers' Market Season, protests began against a vendor with ties to white supremacy. City staff had to respond to help ensure public safety and that the primary mission of the Market was fulfilled. Security and safety concerns caused the City to close the Market for two weeks. During the season, it was learned members of the community did not feel welcome at Market, and better communication was needed in regards to expected behavior at Market. Community input was received from surveys, public forums, mediated meetings, emails, telephone conversations, and in person conversations. Staff recommended the Bloomington Community Farmers' Market continue to be operated and managed, by the City of Bloomington Parks and Recreation Department.

The Board received comments from citizens, who voiced their support and concerns on the continuation of the Bloomington Farmers' Market being managed by the Bloomington Parks and Recreation Department.

Kathleen Mills stated: To some, casting off the farmers market from park department control solves the problem of Schooner Creek's presence as a vendor. It assumes that a privately-run market appear and will exclude this vendor. There is a line in a petition to Mayor Hamilton asking for the removal of Schooner Creek that reads: "*We have no preference as to whether the market remain public or private as long as the white supremacist vendor is removed.*" But many, many other people do have a preference. Making the market private doesn't **solve** a problem, it creates several new ones, ones that would not be managed by the experienced people and the considerable resources available through the parks department. Problems that would be up to some other unknown entity to grapple with. It carelessly put the livelihoods of 125 small farmers and gardeners, 17 prepared food vendors and 87 artists up to chance.

Every vendor I have spoken with, and those who signed off on an eloquently written defense of a public market that appeared in the H-T, has emphasized the need for the city to continue running the market. They expressed myriad concerns to me about privately-run markets: who among the already overworked farmers will take on the administration of the market? Who will vet the vendor applications? Where will the market be located? Will the site have electricity, water, security, and shade? Will this private market offer cultural and arts programming? Will the board of this private market be unbiased in selecting fellow vendors to participate? Will it be welcoming to new farmers just starting out? The unknowns also stretch to vulnerable members of our city who benefit from the fresh produce at the market. Will this private market offer SNAP and WIC benefits and senior vouchers to Bloomington's most needy? What about our market's arrangement to donate fruits and vegetables to Mother Hubbard's Cupboard?

Essentially, who steps into the void? What if no one does and the market dies?

I believe, and I think most of our community agrees, that our market is too valuable a tradition and a resource to cast its future out into the unknown.

So I do not support the parks department relinquishing its control of the market. However, going forward, some changes to the rules and regulations governing the market obviously must be made. The Parks Dept. has been heavily burdened by the responsibilities of the market during this past season. Marcia and Becky and Paula and others worked countless extra hours to ensure that the market was open and safe.

Efforts to respond to visitors' concerns have been ongoing. I am especially heartened by the creation of the Broadening Inclusion subcommittee and look forward to its recommendations for reaching out to a greater diversity of vendors.

As well, some very positive changes are being implemented in the revised vendor application process and handbook. Becky has outlined some of those in her comments and I would like to note two of them.

There is new, extensive language in the vendor handbook that vendors and stand assistants must not engage in behavior outside of the market that reflects poorly on the market or the city of Bloomington.

There is also a further clarification of protest areas at the market. I realize that some people will find the continued regulations on the manner of protest at the market to be onerous. Over the course of my life, I have protested on various

issues at various times. I respect protesters. But courts have ruled time and again that various kinds of detestable speech are protected and that municipalities can regulate the place and manner of speech.

Supreme Court Justice Anthony Kennedy said, in a 2017 case that upheld the First Amendment's protection of hate speech, "A law that can be directed against speech found offensive to some portion of the public can be turned against minority and dissenting views to the detriment of all."

Others may ask if these new guidelines will be enough to return our beloved market to its harmonious former self. There are, of course, no guarantees, but I think we have seen ample evidence that our parks department has decades of experience managing a vibrant farmers market, running hundreds of programs for tens of thousands of people throughout the city, and creating a brand new Switchyard Park literally out of nothing. So are there guarantees? No, but I feel positively about our **city-run** farmers market's future and look forward to its opening day.

Lisa Thatcher stated: Abilities. I have heard the local community speak. At first, the community asked the City of Bloomington to remove a vendor from the Market but following the December Farmers' Market Advisory Council (FMAC) meeting, the loudest voices shifted to ask the Market to stay as is just as long as it still operated by the City. The results from the City's survey also show a shift in focus from the community wanting vendor removal to shifting focus on removal of protestors – a shift has happened.

Our Board does not have the power to make a choice regarding the handling of Constitutionally-based matters for the City – a good thing considering that we are not democratically-elected individuals but rather volunteers who were appointed. What we do have the power to do is to accept or deny the plan for the Market recommended by the Parks Department staff.

The Department has worked with the Office of the Mayor, the Community and Family Resources Department, and the Legal Department – with input from the community and FMAC to create a plan. The plan we are presented with today recommends to continue operating the Market and includes proposed changes to the contract – but these changes do not supersede the US Constitution and, therefore, we are not here today to go back to the original request and remove a vendor from Market.

Input. 2019 was my first year as a Commissioner and although I thought my duties would focus on helping to expand our City's park system, I have worked diligently to educate myself during my Freshman year to gather as much information as possible. There have been sessions with the Community Justice and Mediation Center and panels with legal experts and the ACLU. We have heard from organizations like Black Lives Matter and have gone through research compiled by No Space for Hate. We have seen activism from individuals and have seen the Purple Shirt Brigade in action. We have read the report from the Bridge Initiative and consumed articles from local media such as the Limestone Post up to national publications such as the New York Times.

In the recent weeks we have received a signed document with hundreds of signatures asking that the Market not continue as is – while also receiving a separate signed document with 2/3s of Market vendors asking, instead, for the Market to continue *as is*.

I have received emails pleading for us to keep the market open so that the livelihoods of vendors, many of which already live tenuously close to poverty, are protected. We have heard from the Bloomington Food Policy Council of the importance in offering the low barrier entry for vendors. I too am concerned about the economic impact of the City not hosting the Market, not only for fear of potentially plunging over 100 families into possible economic ruin but also for the potential loss of doubled SNAP benefits. I also acknowledge the issues with letting a program go from government control and allowing for management to be privatized.

Emotional connection. I sit on this Board with a dedicated member who has been attending or involved with the market longer than I have been alive but that does not mean that I lack an emotional attachment to this Market. I moved here in 1999 and didn't look back. I have adopted this city as my home, asked my parents to retire and relocated here, and have decided to raise my children here. Still sore and bleeding after the birth of my first child, my husband and I packed the diaper bag and we went to the Market. We strapped the tiny bundle of our child to my husbands' chest so nobody would try and touch our little early bird before his due date had even arrived. We walked down Info Alley, we were greeted by

so very many familiar faces as they welcomed this new, tiny, Bloomingtonian. I shopped for comfort foods to heal my body while my husband bought his coffee. This Market feels so much more than just a recurring event because it is so much more than that. It is memories, and community, and friends. Everyone has emotions in this because we aren't just talking about the Market – we are talking about Bloomington. Our memories are downright bucolic but that isn't where we are now – and we also need to acknowledge that these memories of landing in the Market feeling safe and welcomed was not always shared by all parts of our community.

I am hurt that there is so much hate inside of my community. I am angry that we are here. I am upset that this choice has been put in front of me. This doesn't feel like this should be up to me – but here we are. And if we had been listening better to the full range of our community members, then we would have had a better idea of the problems that are present and have been ongoing. Our community was shocked because we had not been listening to our fellow citizens. Why? Because of the privilege of it not having a direct and daily effect on us.

How do we move forward? Do we pull the plug and allow the Market to die or do we put it on life support for one more year? If we, as the Board, decide to resuscitate then that is a choice based in faith. Faith that the changes put in place will be honored and respected by those in power. Faith that spaces will be deliberately opened up to bring forward the portions of the community most impacted by hate into positions of respect, leadership, and influence. This is where I want to take a moment to gesture to our empty 4th Board member seat and to also call out that the Farmers' Market Advisory Committee will have a whopping 7 open positions on it. I hear you if you say you don't have faith in those that currently inhabit the spaces of power so I urge you to inhabit the spaces yourself and to put yourself at the table.

I do have faith in a group of players in this process which is the staff of the Parks Department. They fully admit that they have had a lot to learn and could have made different choices. My position allows me to see the amount of dedication in the staff to try and get this right. They have gone well beyond what their job descriptions entail, and they are all back again this year – They are sincerely committed to trying to making it better. I know they will do their part to improve the Market as best as they are able to. Which is why I recommend joining the FMAC – so that your voice may better reach the dedicated staff tasked with operating the Market.

So I do have faith but it is not blind – it is given to those who have demonstrated their dedication. Now, I ask the administration inside of the city to prove their commitment. I need to see concrete, definable, actionable change. I need to see collaboration and outreach to the minority groups inside of our community. I need to see the city focus on supporting minority individuals inside of the realm of food security – from listening and responding to the needs of minority farmers and vendors to continuing to expand SNAP benefit programming as well as uplifting the work done through the summer food programming at Banneker.

I need to see the city work with Bloomington Pride; Black Lives Matter; Black, Latino, and Asian churches; and persons of color who are business owners. I need to see that they are not just presented to but actually listened to – and that their advice leads to tangible changes. Although I think we need a vastly more comprehensive review of the racial dynamics of this city than the Bridge Report was able to provide – it did highlight that we have to focus on the issues such as confronting white supremacy in a systematic, city-wide way because the problems themselves are systematic and city-wide.

In the past few months I had been mentally preparing myself for this vote. Or so I thought. The question before this board today is not exactly the one I thought I would have. Are we being asked to remove a vendor? No, we are not. Are we being asked to expand programming to ensure City of Bloomington events are purposefully crafted with inclusion and diversity in mind? No, we are not. I want the question to somehow be different but that is not what is before me. Today, we are being asked to hold open the space of the Market, for one more year, so that necessary work has the time and physical space in which to take place.

We are being asked by the vendors to continue running the event series. This includes keeping the event running even with continued possibility of White supremacist organization members showing up in mass. Do you want it to continue because; in the words of Martin Niemoller's poem *First They Came* that you don't need to speak out because they simply haven't come for you yet. Or do you want it to stay open so the larger Bloomington community, or the City's administration, or the vendor community can have another opportunity to create change – but that they need the financial anchor of the Market continuing in order to have time to create an impact.

For months I assumed I would vote no because I assumed killing the Market was the war – but in fact, because we are not able to remove the desired vendor – this isn't the war. This is a single battle and I want to believe creating time will allow for better battle plans to be crafted for the benefit of our community. A year from now will the community come to us and tell us they are ready for us to let it go? I don't know what changes can be made to make the entirety of our community feel safe and welcomed at the Market but I do hope that the City and community is able to regroup to elicit positive change.

Maybe my privileges give me too much faith but at this point, I am just holding out hope that giving the Market one more year will allow for the time and space for substantive change to take place.

Les Coyne stated: I have been involved with this Market for many years, and it holds a special place in my heart. I am going to vote to continue it with the City. I have personally too much invested in it, as do many people. It is now clear to me that the community wants to see this market move on into the future. It is also clear that the community is capable of doing so, possibly more than any other city, to deal with the issues. The issues are complex and difficult but need to be addressed with maturity and a sense of common good. We need to take what we have learned through the extensive civil activity, and do our collective best to make the changes necessary through civil discord, mature interaction, and a common purpose that will generate results that enhance, not degenerate and deteriorate, what obviously needs done and make the Market better for all constituents in this unique and special community.

Kathleen Mills made a motion to approve for the City of Bloomington Parks Department to continue to operate the Bloomington Community Farmers' Market in 2020. *Lisa Thatcher* seconded the motion. *Les Coyne* it has been moved and seconded that we approve the proposal to continue the Market under the offices of the City. Any further questions, seeing none. Motion unanimously carried.

C-2 Review/Approval of Bloomington Community Farmers' Market 2020 Contract Materials

Marcia Veldman, Program Coordinator to address the challenges faced in 2019, the 2020 farm vendor contract, handbook, exhibits, and rules of behavior have been revised. Some of the changes included are: the process for adding vendor/stand assistance has been clarified, mission statement has been updated, Tuesday Market will move to Switchyard Park. In regards to the Rules of Behavior for the Bloomington Community Farmers' Market, the boundaries of the Market are further clarified, as well as further defining activities that are not disruptive to the Market. Staff recommends approval of the Bloomington Farmers' Market 2020 Contract Materials.

The Board received comments from citizens, who voiced their concerns on the changes to the Bloomington Farmers' Market 2020 Contract Materials.

The Board request more time be given to the community to review the Bloomington Community Farmers' Market 2020 rules of behavior draft, and a final copy be presented to the Board at a later date for consideration.

Kathleen Mills made a motion to approve the Bloomington Community Farmers' Market 2020 farm vendor contract, handbook, exhibits, and mission statement. *Lisa Thatcher* seconded the motion. *Les Coyne* any further questions, seeing none. Motion was unanimously carried.

Kathleen Mills made a motion to table the Bloomington Community Farmers' Market 2020 rules of behavior draft. *Lisa Thatcher* seconded the motion. *Les Coyne* any further questions, seeing none. Motion unanimously carried.

C-3 Review/Approval of 2020 Food and Beverage Artisans Fees

Due to time, item C-3 was removed from the agenda and will be presented at the January 28, 2020 Board of Park Commissioners meeting.

D REPORTS

D-1. Operations Division – No Report

D-2 Recreations Division – No Report

D-3 Sports Division – No Report

D-4 Administration Division – No Report

ADJOURNMENT

Meeting adjourned at 5:50 p.m.

Respectfully Submitted,



Kim Clapp

Secretary Board of Park Commissioners