

MINUTES
LAND AND TRAFFIC COMMITTEE
MUNCIE COMMON COUNCIL
300 NORTH HIGH STREET
MUNCIE, INDIANA 47305

TUESDAY, JUNE 23, 2020

SPECIAL MEETING: 7:00 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

PLEDGE OF ALLEGIANCE: Led by Councilman Ingram.

ROLL CALL:	PRESENT	ABSENT
Troy Ingram	X	
Ralph Smith	X	
Jeff Robinson	X	

TOPIC OF DISCUSSION:

ORD. 16-20 AN ORDINANCE OF THE CITY OF MUNCIE AMENDING CHAPTER 90 OF THE CITY OF MUNCIE CODE OF ORDINANCES. (LIVESTOCK)

Committee Chair, Councilman Robinson, explains that they are going to go ahead and get started on discussing this ordinance which pertains to what they will affectionally call "backyard chickens." He does wish to go over some procedures on how this meeting is going to be conducted so that everyone is in understanding. He then asks if everyone that is wishing to speak has signed up to do so and holds up the list so everyone can see. An audience member of the requests to be added to the list, in which, Robinson does so. Because of the amount of people signed up to talk, they are going to limit each person 3 minutes to speak. The plan is also to alternate between "in-favor" speakers and "against" speakers. There are more people signed-up that are in favor than against so once they run out of people who are against, they will run through the rest of those in favor. The Committee will hold any recommendations for any amendments (if there are any) until the end of the second meeting, after all public comments regarding ord. 16-20 have been heard. It is important to have every single voice heard, both in favor and against before taking anything under advisement. He

advises anyone that comes up to speak that the Committee members are allowed to ask questions so Councilman Ingram and Councilman Smith may chime in if they have any as they go through. He wants to have as open of a dialogue as they can so that they can all understand each other's positions and can find out a workable solution for everyone so open dialogue here between the Council and those wishing to speak. Robinson asks if Ingram or Smith have any questions. Councilman Ingram wants to remind everyone to keep it pleasant. Robinson agrees. The first thing they would like to do is bring up Animal Shelter Director, Ethan Browning to answer some questions.

Ethan Browning, 901 W. Riggins Rd, approaches the podium and introduces himself. Robinson thanks him for being here and recalls him serving as the Director since January and asks how long he has been at the Shelter beforehand. Browning responds since June of 2015. Robinson congratulates him on just recently celebrating five years and asks in all of his time there, does he recall how many calls in came in for the city regarding chickens. Browning responds several and explains it is kind of difficult to pinpoint but in the last year, there were at least 18 chicken calls (in just 2019) and 4 in 2020, so far. Those are issues that are obviously in violation of Code Sec. 90.19, 90.20 and 90.21. Some of the chickens were running loose and many were nuisance calls that were called in by neighbors. Browning goes on to explain that some of the calls stated there were chickens up in trees or defecating in a neighbor's yard. Robinson asks if when the Shelter went on those calls did they have to seize or take any of those chickens (and insists fellow Committee members jump in at anytime if they have questions). Browning responds yes and explains there are 2 aspects to this. The Shelter tries to warn people and have them rehome the chickens in good faith, outside the city limits. Often times, they get called out multiple times to the same call, week after week because those people refuse to rehome the chickens which then become a further nuisance. So, not only do they have to sometimes seize them but they have to cite the person which also places a burden on Muncie City Court as an ordinance violation. Also, the Shelter has to find somewhere to take the chickens. Mr. Ed Teal, who is present at tonight's meeting, is a local farmer and takes in a lot of the chicken rescues. Robinson clarifies that the shelter does not currently have the infrastructure in place to maintain any chickens when there is a seizure. Browning confirms and explains the seized chickens are often left in a dog or cat cage amongst dogs or cats. Another location known is in the front office of the building until the department can find someone to pick them

up. Robinson then asks when the shelter would be maintaining those chickens, he assumes they get feed and provide water for them. In other words, there are ways to take care of the chicken in the interim before they are re-claimed. Browning answers yes and states one of the dog walkers or cat techs typically have to stop their duties and incorporate those additional tasks in their day. Often, they may pay out of their own pockets to run to the store to get some chicken feed or whatnot.

Committee member, Councilman Ingram asks if Mr. Browning feels that he is properly funded and if he could, explain his budget. Browning states just at the last Council meeting, they asked for additional monies to be moved out of the General Fund and into the Animal Shelter budget in the amount of about \$22,000. That helped alleviate a big burden on labor but still to adequately staff them so that they could meet the standards of the department detailed in the no-kill ordinance and alleviate some of the burden on these part-time positions that are making \$10.10 an hour with no benefits. They have had to staff more people per day, therefore, he will still be needing about \$40,000 to get the department through to the end of this year to pay the staff. Ingram asks how many full-time animal control officers are staffed. Browning responds they have three spots and currently, two are filled and there is one full-time office manager. The rest are part-time staff. Ingram recalls the discussion of removing the funding for position of the Assistant Animal Shelter Director and states that stresses how desperate they are to get money to the Department.

Robinson explains he has been doing a lot of reading about chickens. He recalls being a city boy so it has been eye-opening to read and learn about. He wants everyone to know that he is neither in favor nor against this ordinance and that he is very open-minded to it. What his question is what happens in the case (hypothetically) that a dog or a cat (which are natural predators to chickens) were loose in the city and, in the unfortunate event, got ahold of the chicken. What happens then? Browning confirms there has already been two of those instances in the city this year. In February and just in April, there were two separate instances of dogs getting loose and attacking and killing chickens. That turns into a civil matter between the two parties. If the dog is not current on its rabies vaccination, they have to take the dog in and quarantine it for 10 days to make sure there is no symptoms of rabies (as with any bite). Robinson has also learned that raccoons, opossums, even skunks are natural predators to chickens and asks

if there are many calls where people (that have chickens in the city in violation of the ordinance) report that a natural predator has gotten ahold of a chicken. Browning answers not that he can recall but due to the fact that they would be in violation of ordinance, it is not believed they would come forward and report it to the Shelter if their chickens were to be attacked by a wild animal. The Shelter does have open feeding ordinances in place which is considered a violation to leave food out, reason is because there are predators such as racoons and whatnot that will be attracted by that. The Shelter does see that quite a bit.

Councilman Smith asks if this ordinance does pass, as written, how would it effect the Animal Shelter operation? Browning believes there would be more people that would have chickens, therefore, there is a larger opportunity for accidents such as chickens getting loose and people complaining. The shelter is already seeing that now with the chickens that are here. He continues to explain that the way the ordinance is written states people are intrinsically motivated to take care of the chickens and he wishes that were true but does believe that is a bit ethnocentric or they wouldn't have as many violations as they do now with dogs and cats. He states he has 59 ordinance violations to discuss tomorrow in Muncie City Court on dogs and cats alone. People are definitely not intrinsically motivated just to take care of the animals. There would need to be a component of education that would need to be taken into play and they would have to educate their staff and office on chicken care so they could help educate the public. They would also have to repeatedly go out and make sure that individuals with chickens are up to code. Smith asks if Browning has sat down and figured a budget of how much money it would take the Shelter to be able to run this program, from a money and personnel standpoint to supplies, equipment and facility. Browning states he has not done that. Smith asks for his opinion on the matter. Browning responds there are a lot of dynamics there that come in to play so it would be difficult to give a ballpark of about how much it would cost. Smith asks if it would take more manpower/personnel. Browning answers yes. Smith asks if it would take more money. Browning, again, answers yes. Smith asks if the MACS would have to increase or remodel their facility. Browning, again, answers yes.

Councilman Robinson addresses Browning and states that he does understand if this ordinance is passed, the onus is going to be on the Muncie Animal Care and Services. When and if there are issues, that is who gets called.

He appreciates him taking the time to be here tonight and to answer these questions.

Councilman Smith mentions that currently, the Shelter calls Mr. Teal when they have a chicken issue. He asks if there has ever been a time when the Shelter couldn't get ahold of him. Browning states yes, because he is a volunteer. Smith asks what was done in the situation if they couldn't reach him. Browning states the staff would just have to hold the chicken and sometimes staff members that had property in the county would take them home and add them to their personal responsibilities.

Councilman Ingram thanks Mr. Browning for being here. He refers to him being in control of the animal shelter and states he is ultimately going to decide how it should be run and will be the one dealing with the brunt of any issues, if this does come to pass. Ingram appreciates his fair and honest answers. Robinson asks Browning to stay for the duration of the meeting as some more questions could pop up that he might need to answer and people may want to counter some of the points he made so they want for him to be able to respond to those if he is willing. Ingram has one more question and asks if Browning will be here at Thursday's Committee meeting, as well. Browning answers yes. Ingram asks if there is any chance Browning could throw some numbers together on what it would cost if the Council did pass this ordinance. Browning can try to, yes. Ingram clarifies as close as Browning could get to within the time frame allowed. Browning states with what they have currently seen in violation, he could base some numbers off of that information. The Committee thanks him.

Shelly Fruitt, in favor, explains she had this big speech laid out but what she just heard changed everything. So, it is going to be hard for her to go off the top of her head. She would first like to say that hopefully she gets longer than 3 minutes to respond to the comments made by the Animal Shelter Director, who obviously got way longer than 3 minutes. She hopes they take that into consideration because she has an answer to all the problems he mentioned. Robinson appreciates that but states they asked Mr. Browning to be here as the Director of the Animal Care and Services, so, he was here at their request. Shelly understands that but was just saying that everything he just said is the exact reason we need the new ordinance. She continues and states the 18 calls that came in last year about chickens are from people who don't follow the law.

Those people are going to still exist whether this ordinance passes or not and that problem is still going to exist. With the ordinance change, there is very specific... All those problems he (Browning) was talking about, will not be allowed. Yes, there is still going to be law breakers and they will still break the law. She is just flabbergasted at some of the things she just heard. Shelly states she put together, in the last few weeks, a list of 17 homes for any chicken. These people will take, feed and house them. Adding to that, some of these people will be able to offer a home so that the chickens can live out the rest of their life because some people see them as pets. Some of these people will just take them in because they live out in the country. Again, she has 17 names and addresses of people that can and are willing to take in any chickens and holds up the list to the Committee. That is why she does not understand why there is such a problem in the city and the Animal Shelter Director is talking about having to remodel the building to tend to the chicken problem. That is insane and just cannot be true. She has a home for all those chickens now (pointing to her list). She has the answer that the Shelter will never have to feed chickens again nor house chickens again. This will save the city of Muncie and will put laws behind the chickens and when the laws are there, it is better to enforce them at that point. The people that are here that want chickens love chickens. There is around 500 people on the Facebook page she created that love chickens. Councilman Robinson makes note that he is aware of this page. Shelly continues stating that they love all animals and don't want any animals to be harmed or attacked by neighbor's dogs, referring to Browning explain the case when a dog got loose and did such. Other complaints were from chickens pooping everywhere and with this ordinance, none of that would be allowed. She suggests the Committee asking her the same questions that were asked of Mr. Browning so that she could answer them. Like she earlier mentioned, she had a big speech to present but hopefully, she will be able to speak at the meeting again on Thursday. She takes a moment and explains that she didn't realize those problems existed. She likes hearing both sides and thinks both sides should be heard but she honestly thinks the answer is to have the ordinance. She brings up her list of names of people that are willing to take seized chickens. People are afraid of coming forward yet due to being afraid of retaliation and not wanting their names and addresses out there but she is willing to share it with the Committee and the Animal Shelter Director. This way, he would immediately have relief of all the chickens. Then, the money that is going to be saved from supposedly feeding and housing seized chickens can be used somewhere else.

Robinson informs her that her 3 minutes are up and he appreciates her comments. He would like to point out that they asked Mr. Browning to come this evening because there is information that the Committee needs to know from the Department that will be charged with maintaining this ordinance. He believes Mr. Browning would be open to a conversation between now and Thursday to address some of those issues and recommends obtaining his e-mail address from the city website. Robinson continues they invited him because they needed to know that information. Shelly understands that and is glad that he was invited. She does not want anything to be hidden and wants everything out in the open. She loves this city as much as anybody else in this room and would never want to do anything to harm the city, that is for sure.

Ingram refers to her list of 17 people and asks if those people are not planning on getting chickens if this passes or are they going to take the chickens as well as having their own 6, as well. Shelly states there are a couple on the list, which if this does pass, who will not have the amount allowed because most people do not want the capacity, which is 6. Most of the people on the list have farms or live out in the country. Ingram states that was his concern, making sure they were not going to overload somebody. Shelly replies that she got this list together by reaching out to people that she has connected to in almost no time at all. That is why she wishes she had known that there was a problem because it just blows her mind. Ingram suggests that if people are going to reach out to the Animal Shelter Director then it would be best to get with 2 or 3 other people at the same time, that way he is not bombarded with 200 different people wanting to meet or talk with him.

Kristopher H. Bilbrey, against, explains that during this debate, especially on social media, it has gotten really crazy. He refers to Robinson's comment about keeping it peaceful for those who are both for and/or against and that it is nothing personal, this is just something we are trying to get through here. He would like to remind everybody that just because you pass an ordinance doesn't mean issues go away. If that was true, you wouldn't need a drug task force or police officers. He continues, just because you have a speed limit sign say go 20 mph in a school zone doesn't mean that is what people do. He is not being negative, it is just the truth. He states he loves dogs just as much as the next person but there are only so many dogs he can have. That doesn't mean that there aren't dogs out there that are being mistreated or that there are not dogs that are not being taken care of, not because somebody wants to not take care of

them but simply because they don't have the money, means or whatnot that they still have the dog. We need to keep that in mind. Bilbrey states he is all for property rights and states he would fight for anybody's property rights. He is somebody that would say if he wanted a chicken, he would study everything that he wanted to know about the chicken and build a coop and nobody would ever know about it. He wouldn't come up to the City Council meeting trying to say that we need chickens everywhere because what is going to happen here (and the fear) is previous speaker, Shelly Fruitt, is probably right. There is a small/large (meaning no disrespect) group of people and for however many people they have, there is probably a large portion of them that will do what they need to do properly. His concern is that he does not know if there are some people involved with this only because it is kind of like a "fad" thing right now. So, that person is going to get the chicken. His question is what happens in the wintertime. If you look at farmers, they have electric ran to their barn so that their chickens are cared for in the winter. Right now, it is summertime so we are not really thinking about that but what happens when it gets -13°F in Muncie, Indiana and the chickens feet fall off, their beaks start to freeze and the chickens die. What is happening at that point? He does not know if these people are talking about possibly making large scale improvements to their house. There are also going to be the people who say "well hey, we can have chickens now!" so they make their chicken coops out of plywood and siding and they don't have that. It is a massive, massive undertaking. He thinks her point specifically in saying we didn't know all of those problems that the Shelter said" shows the issue. We do have all of those issues and he does not think that people truly realize that and just because if this passes, that all doesn't go away, it just adds to it. He does not believe that Browning was up here giving opinion on anything and that some of that facts that was given was listed as she said and possibly not true, but, its factual.

Donald Fruitt, in favor, refers to Bilbrey's comment about wintertime and explains it is no different whether you have a dog, a cat, whatever animal that lives outside as a pet verses a chicken. You are going to take care of any animal that you have, if you are a good citizen, the way it is supposed to be. That may mean taking it into your garage at night or making sure that the coop is heated. That should not be an issue. The other thing he would like to talk about is the issue of sustainability. We have had a very big crisis here these last few months due to COVID-19. There was a small area of food shortage where you couldn't find eggs or meat. This is a way to have families have the ability to have food just

like having a garden. It is no different and is a right of someone to protect and help out their families. Another issue Donald wanted to talk about is what happens if someone can't take care of their chickens and what happens when the chickens get old. He asks how many programs are in the City of Muncie that provide food for homeless people or food for disadvantaged people. What happens when you hit a deer on the road? Isn't there a state law saying that you can donate that to a food pantry? Why not the same thing with a chicken? There should be no issues about where the chickens are going to go. As his wife had earlier stated, she has a list of 17 people that can rehome chickens. So, there, the (Animal Shelters') issue... Solved. He does not see why there is a problem with this situation and does not understand why there is so much of an opposition. One thing you don't hear about is all the issues with the dogs and cats. We can talk about issues with the chickens but how much of the Animal Control's budget is being taken up trying to take care of the dogs and cats that are running loose? Probably a great portion. He knows there is an ordinance in place that prevents those certain things so what is the difference? He then asks if any of the Committee members have any questions for him.

Ingram states one of the issues and he has heard this from pro-chicken advocates is that 'we have an issue with dogs and cats so why can't we throw chickens in the mix' and his concern is if they add chickens to the problem we already have with the dogs and cats, it is going to get 10x worse because we can't really afford to police the dog and cat ordinances that are in place now. He is afraid this is going to be one more ordinance that they won't be able to police. Ingram adds that he understands that the majority of the people will definitely keep their chickens clean and properly and their chicken coops beautiful along with everything else. There is still, though, always going to be those people who do not. It is still a concern, whether it may or may not be a concern for the Council, the Fruitts or anyone else in the audience, it is still a concern that the Council will have to take into consideration as representatives of the City because it is going to cost more money to pass an ordinance such as this. Ingram explains that is their concern with that part of the situation.

Donald continues and states the Animal Shelter is a no-kill shelter. He asks how many people are on their list to take dogs and cats verses the amount of people (in a short time) that his wife has gotten on her list to take chickens. Ingram asks Browning if he can answer that question. Robinson states the Shelter surely has and he does not want to have to keep Mr. Browning coming up and down every question. Robinson claims he is very familiar with the Shelter, touring

the facility multiple times along with meeting with Director Browning several times on other issues. There is someone employed at the Shelter that can place dogs and cats. Robinson continues, explaining that he understands the comparison and that it is a natural comparison to make but to also understand that dogs and cats are much more domesticated animals. Are there irresponsible dogs and cat owners? Absolutely. In response to Ingram's point, Robinson thinks the majority of people that, if this ordinance is passed, will own chickens are passionate about them and going to take very good care of them. In him giving his personal opinion, not that of a Council member, it is an unfair comparison to make it dogs and cats versus chickens. It is an "apples and bananas" comparison because of the nature of the domestication of each animal. However, it is not to take away Donald's point because there is a problem with dogs and cats and the issue should be looked into to try to find creative solutions to help solve it. Robinson understands Ingram's concerns, as it relates to that but he is not as concerned and believes when there is a will, there is a way. We just have to make it through these conversations to find that way. He appreciates Donald's time and advocacy. Donald wishes to make one more point since Robinson brought it up and asks what is defined as a "pet" within the City of Muncie because it is not just dogs and cats. Robinson confirms and states he would imagine ferrets, parakeets, lizards, snakes, being a wide variety of pets. Donald asks how many issues the Animal Shelter Director has had with animals that are not just dogs and cats, besides the chickens we have talked about. He is sure there are other calls that have come in regarding other types of animals that were pets. They have a situation with their group as they are trying to look at every problem there is and provide the solution ahead of time. This way, there is no additional problems anywhere within the city, whether it be with the neighbor or City government. Robinson states (in his view) that is what they are doing here is trying to find those solutions to those issues that some might have and like he earlier said, when there is a will, there is a way with everyone working together and taking in all the public input, is the purpose of finding a way for it to work.

Audie Barber, against, states he lives in the city of Muncie and explains that the City has no money in the budget, at all, for this ordinance, period. At this point, there should be nothing more to discuss about this ordinance because it is not even in the budget. Basically, they don't have \$50 or \$50,000 for this ordinance so that is an issue in itself, more than just the people in this group that want chickens for the city of Muncie. This is for the whole city. This isn't just for

a small little group of 25 or 50 people. He brings up the potential 500 people that signed the petition in favor of it. It has been going for about three months now but when he looked through that petition, there were a lot people from out of state. It is not just 500 people on that petition wanting chickens. If they open it up, they are going to open it up to every individual in this city, along with every rental property, apartment complex and the next thing you know is there are chickens in the coops with no way to get rid of the waste. People will have to shovel it up and throw it in the trash can and now there is chicken crap going to the city dump. There you go with that. Now, our Animal Shelter is a "no kill" Shelter. If they are going to be responsible for the seizing the chickens that these people can't take care of, there was talk about killing those chickens and feeding them to the homeless shelter but they can't do that. Barber believes in order for a homeless shelter to accept the meat from any dead animal, it has to be USDA approved. That is what he believes. He continues, referring to the petition that he started about a week ago, against it. There are about 85 signatures so far. The people in favor of have had their petition going for about 3 months having 500 signatures and he refers back to his having 85 in just a week. He moves on to the inspections of the chickens. The City has to send someone out once or twice a year to make sure these people don't have over 6 chickens in their coop. Now, 6 chickens are a lot of chickens. His step-daughter in Kentucky has quite a few chickens and they make a big mess. The issue with the chickens present now and the Animal Shelter (and Mr. Browning said this) is that they take dogs and cats out of the cages and put chickens in them, right next to other dogs and cats. What kind of humanity are you putting on these dogs, cats and chickens when you are putting them side by side like that? The chicken doesn't know if it is in a cage and the dogs and cats don't either. What kind of stress is being put on these animals when they are being placed side-by-side like that? Like Browning said, he does not have a place to store these chickens and they are kept in the office. That is not sanitary. This is a big thing here for a group of 25 or 30 people that is going to be put out for the entire city. He believes, personally, it is a bad ideal. He recalls talking about the fish farm back in August/September and states he mentioned it then that the next thing people will want is chickens. If this passes, the next thing you know people will want ducks, geese, cows, who knows what else.

Jeanette Merrill, in favor, recalls introducing herself at the last meeting. She states her and her family have kept backyard chickens for over 15 years so they weren't even at the beginning of this 'backyard chicken keeping movement,'

but 15 years later, she wouldn't call it a "fad" because it is on-going and still growing. When they moved to Muncie last summer for her husband's new job at Ball State, they purchased a home but there was no City Inspector who came over to make sure they owned a lawn mower in order to keep their grass within the limits set by the City Code before they were allowed to move into their home. It was assumed that they would learn the code requirements that applied to the home that they purchased and that they would keep their home in compliance. We need to respect our fellow Muncie Community members and trust that they will take care of their own animals in line with the requirements of the ordinances. We definitely need to have consequences and fines for people that don't follow the ordinances but they should be enforced on a case-by-case basis, as problems and complaints arise. She can see how it would be a huge burden on Animal Control if we decided to go out and make sure that everyone has lawn mowers to mow their lawn and to make sure they don't let the grass grow too long. The thing is, she pays taxes here as a homeowner and resident and currently places 0% of a burden on the Animal Shelter. She does not have cats or dogs but is required to pay the taxes that support the Animal Shelter just the same. For her, it comes down to that this is just her desired pet. Like she said at the last meeting, if you increase the different types of pets people have, you are not increasing the number of households. You are still going to have the households that are law-abiding and compliant and then you are going to have the households that have issues and that is going to require check-ins. But, all-in-all, we are not increasing the number of households that are under the jurisdiction of Animal Control. People are different, like different things and have different personalities. This is about preferences and a lot of people like to have cats and dogs. There is this kind of "we take for granted" that dogs belong in the city and that they wouldn't rather be out roaming the countryside but she doesn't really like dogs and two of her boys are allergic to both dogs and cats. They have, however, kept chickens and it has been fine along with bringing a fun pet for her children to have. Like cats and dogs, you have to clean up their droppings. Like gerbils and hamsters, you need to wash your hands after petting them. Like turtles, fish and snakes, they need specialized housing and to stay healthy, you probably shouldn't kiss them. However, there is a large and growing number of people across the nation that enjoy keeping chickens as pets. Yes, her neighbors will hear her chickens outside during the day, in the same way she can hear their dog bark every time she works in her garden. At night, her chickens will silently rest in their coop until she lets them out in the morning and because she wants

the eggs, she is intrinsically motivated. We can't generalize everyone and say that "people aren't intrinsically motivated" to take care of their animals because certainly, there is a lot of people here that are. Jeanette thinks it is unfair that she should be held accountable for the people in town who are currently not caring for their own cats and dogs to not allow her to advocate for a type of animal that is growing in popularity around the nation and that plenty of people will keep in town without causing a huge disturbance.

Robinson thanks her and recalls her moving here recently and actually references meeting her at the polls. He then asks where she moved here from. Jeanette answers most recently, they moved from the San Francisco, California, Bay Area only being there for one year in which they did not keep chickens there. Prior to that, her husband was working at Texas A&M University and they legally kept chickens in that town. Prior to that, he was at the University of Lincoln in Nebraska and they kept chickens there, legally. Prior to that, he was a student at Kansas State University and they kept chickens legally there. Robinson asks if the ordinances mandating chickens in those cities are similar to the ordinance being purposed here for Muncie. Jeanette answers no, they actually were much more relaxed. The ordinance that has been put together here has very specific guidelines about the humane spacing needs or care. None of those were included in those towns just assumed... Muncie Public Library system has twelve books on chicken keeping (she just looked it up today) so people are capable of learning how to take care of chickens. The other places she has lived has had much more relaxed and open rules which people are allowed to have chickens in town and without any much more requirement than that. People can watch YouTube videos, read books from the library and learn how to take care of them and see if it is right for their family or if it isn't. Out of his own curiosity, Robinson then asks if permits were required and were there any inspections on those. Jeanette responds not in any of the towns she has kept chickens.

Ingram recalls doing some research on this and states some of the communities around Indiana and the ones he had the opportunity to speak with all require permits and inspections and some even require waivers from the next-door neighbors before you can even get chickens for your own backyard. He asks if there are other places he should look, in order to see where this is less-laxed than the ones he has already found. Jeanette just mentioned those three communities that she previously lived in Lincoln, Nebraska, is a city of 70,000 people and the idea of having your neighbor sign a waiver... Ingram clarifies that he did not agree with that whatsoever and thinks you should be able to do with

your own backyard what you wish to. He was just in comparison to her statement with ordinances she had said she lived under that were more lax than this one for Muncie. Jeanette confirms. Ingram states he had made some calls and talked to several Animal Shelter representatives from South Bend along with several other areas around Indiana and a few out of state. Everyone that he has talked to, at least, required a permit and inspection (some had the waivers, as well). He just wanted to get an idea of some other places he could call to maybe look into before Thursday. Jeanette clarifies those places are Manhattan, Kansas which is where Kansas State University is ("The Little Apple" is what they call it). Lincoln, Nebraska, is another location. And Bryan, Texas and College Station, Texas which are two small towns that butt up next to each other is where Texas A&M University is located and both cities allow chickens.

Mary Stilts, against, understands people want the chickens and the eggs. She has two very close friends that have chickens and dozens of dozens of eggs. They live out in the county and have both told her that we should not want them in town, period. We have coyotes entering the city limits. She lives right down off of Burlington and Memorial and has seen multiple coyotes in the area. We have racoons running wild in all of the neighborhoods. Say your kid gets up and goes out to check on the chickens in the morning and a racoon has gotten in there and gotten them. That could be devastating for a kid. How many people do you know go "lets get this puppy for our kid for Christmas." It so cute and they have it in the house but six months later, they are tired of dealing with it and put it on a chain in the backyard. It then gets neglected and guess who gets called (she points to Browning in the audience), the Muncie Animal Shelter. They would then have to go out and try to talk to these people about having to shelter their dog. You have to give it food and water. You can't leave it out in the sun. Sooner or later, the Shelter is going to have to confiscate the dog or the dog is going to die or break lose and bite somebody or attack another animal. Her biggest issue is the diseases. Back in the 1980's, she worked for a real estate appraiser that had an office right down here on Walnut. His father and grandfather before him had the same business in the same office. Her boss ended up with Histoplasmosis of the eyes. At that time, pigeons were the main culprit because Muncie was just infested. Now that they have them eradicated, we don't have the pigeons messes we once had. Histoplasmosis spores are found in chicken droppings, pigeon droppings, bat droppings and most foul has Histoplasmosis. When people go out and clean those coops along with the area surrounding the coop, all those spores

become airborne. You may not catch it (pointing one direction) and you may not catch it (pointing another direction) but she might catch it (pointing straight). It can affect the lungs and the eyes. Her boss was legally blind because of Histoplasmosis. Again, anytime people go out and clean their coops, that stuff is going to become airborne. She doesn't want one of her kids or grandkids to be exposed to Histoplasmosis. Fortunately, she has a neighbor that wants absolutely nothing to with these chickens. They both keep their yards clean, both have dogs and both control their dogs. We can't control the coyotes running down the street and coming up in our neighborhoods and attacking our cats that are "feral and running loose." We can't control that. We can't control the racoons. The Animal Shelter can't do anything about a racoon because they take care of domesticated pets, not wildlife. We need to think about this.

Robinson does wish to point out to the committee that he has made multiple attempts to get in touch with the administrator with Delaware County Health Department over the course of the last week and a half but hasn't gotten a call back. He wanted to give his input because he has had several e-mails over the concern on health issues and was hoping that the Health Department would have chimed in. He assumes with COVID-19, they have more important things to do then to call him back but is going to keep trying and hopefully, they have a statement from the Health Department on Thursday. Smith adds to that, or at least by July 6th.

Jeremy Merrill, in favor, states rarely has he been a part of something so exciting and exhilarating. His wife said most of it better, which usually happens, but yes, they have kept chickens in several different cities in several different situations. It is interesting because they have had chickens that have been attacked by dogs and opossums. The person that took care of it was himself. He was the one that went out and took care of the mess and put it everything back together. It is interesting that this idea of for him, personally, one of the things that has been very fulfilling for him is the reconnection to where his food actually comes from. Also, a reconnection for his children to know where their food comes from. Once upon a time, it was time to get rid of some chickens and so it came day for killing or slaughtering. He told one of his boys that was going to happen and his son went and got all the kids in the neighborhood. Of course, Jeremy sent them home. It was an interesting conversation about why his father was doing this and so it turned into a conversation about this being a chicken and

this is where chicken nuggets come from. This is where we get these things. For him, it has been rewarding and it has also been taxing. He recalls a circumstance when he went out in the Kansas winter, (which he jokes he hasn't experienced an Indiana winter, he was told the last one wasn't real) and tried to keep them warm but they did lose some of them. He grew up on the outside of town in Oregon and understands what it was like to have dogs and cats. For him and his wife, chickens have just been the preferred pet. It is interesting, again, that these numbers are fascinating, even after this, he thinks is going to be interesting to look at some of these numbers and some of the things that happened. He is a designer by trade and teaches architecture at Ball State and so this idea of being able to solve a problem, he thinks is what is more interesting. Even after whatever goes on here, it is going to be interesting to go back and look at this again. In closing, he is in support of chickens.

Ashley Honeycutt, 901 W. Riggin Rd, against, thanks the Committee for listening to both sides and having 2 nights to hear from everyone in both opposition and support. She has been at the Shelter now for about 6 ½ years. As most people may know, they sort of stay overwhelmed as it currently is. There is severe deficiency in compliance with the current ordinances they have with the residents here and she is speaking specifically in the city, not just the county. She feels adding another ordinance on to the Department, regardless whether you think it is going to affect the Shelter doesn't mean that it won't because it will. Her boss spoke about the 50-something ordinance violations they currently have for court this week. She has heard some people talk about permits and fines but would like to note that a very small fraction of the citations they write actually get paid. Those people also do not show up for court. The Shelter is still intended to use 100% of their resources and they sort of stay at capacity and overwhelmed. This is just to stay in compliance with the ordinances that the Council has already passed for the Shelter. It is going to be very taxing on the Shelter. Whether you think it will doesn't mean that it won't. She would also like to point out as far as the laws and people talking about the responsible one's going to be the ones in compliance, one of the big supporters of this (and Ms. Honeycutt took a screenshot of it on Facebook) spoke about "if the ordinance passes and if anyone is going to be selling eggs at the Farmers Market, or ever, please to make sure you get your egg certificate so that there are no issues." Robinson then replied to this comment, "Sec. 1 of ord. 16-20 states eggs are for personal use and not for re-sell." There are people who are supporting this that clearly do not understand

the ordinance or are going to violate it either way. She believes there is something to be said about that, as well. She recalls that she doesn't have experience with chickens and that is coming from 40 hours a week for 6 ½ years at the shelter. It is a small department but they are the hardest group of people she knows. They do the very best they can with what resources they have and rely on the community, as well, to pick up the slack. Another thing she wanted to talk about is this "list" of all these people that would take these chickens. She wishes they had a list for the 3,000 to 4,000 dogs and cats they take in, every year, that people would take. That consists of the abandoned ones, the ones that no one wants after they are no longer cute and fluffy, the big ones, the messy ones, they decided they just don't want them anymore, etc. She would really encourage people who support it to educate themselves a little bit on what the Animal Shelter really does. They handle all the cruelty cases, all the neglect so basically horrible, horrible things. She wishes that everyone would comply with the ordinances they have currently for the cats and dogs but the fact is they don't. That is a very well-known thing here and she sees it every day. It is horrible, absolutely horrible. There are people that do not think what they are doing is wrong and she just wishes people would be a little more open-minded to that. It is not that she doesn't want people to support their families or to take people rights away because it has nothing to do with that. Ultimately, the enforcement of this ordinance will 100% fall on the Shelter and that is where she stands on it.

Mari Streetman, in favor, Urban Forestry Board Member and a citizen of Muncie, states she doesn't like to publicly speak so she wrote down what she intended to say which is a story about growing up out in the county. She clarifies that she is for "city chickens." She states she grew up in northwest Indiana with her parents living in the county and her grandfather happened to impulse buy some geese one Easter for all the grandkids at Tractor Supply Co. Her parents were not super thrilled about it and they had no idea on how to take care of them but once eight-year-old Mari saw them and fell in love, there was no turning back from there. Those tiny little fuzzballs thought she was their momma and would follow her around in a little line and just snuggle her. They loved playing in a big bucket of water and her dad had this old shed that he cleared out and became their shelter. Those animals were her favorite and really taught her a lot about how life works, caring for something other than yourself like feeding and watering them and making sure they are safe from predators. She continues they lost a few over the years due to predators but to some degree, that is a part of life and

that does teach us some important life lessons. She would love to give her daughter the opportunity for 4H and adds that chicken coops, now, are more like a Barbie Dreamhouse or a tiny mansion thanks to the advancements of the internet and Pinterest. It has come along way since the old, run-down shed she had when she was a kid but either way, the memories are still the same.

Ed Teal, states he is pro chickens but also against this chicken ordinance and is the “man in the middle.” Everything he does, he does for the animal. There might be 17 people or 1,500 people for all he knows but it is only “Ed Teal” they (points to the Animal Shelter) call when they have a chicken that has been neglected or caught out in Northwest Plaza in a box. He states he has so many stories, it would just make your head spin. He understands the love for the birds and explains that he has pigeon magazines from way back in 1984 and has loved birds his whole life. It is not these people (and points to many of the people in favor) that is going to be the problem. It is the people the aren’t here and the ones which he gets called out to their home and all they have is a piece of chicken wire up around a fence and the neighborhood cats have gotten in there and tore one of the wings off. Teal would then have to medicate it, take it to the hospital and pay for it out of his own wallet, not the citizens tax dollars. This is a real sticky situation. He states he has to be with the Animal Shelter on this because they are the ones that are going to wind up inheriting whatever gets passed. The Shelter would then call him and he has to step in for the animals’ sake. Again, he is doing it for the animals. He has rescued beavers from the Shelter that came about here in the city. He does whatever he can for the animal. He really thinks the people that are in favor’s hearts are in the right place but their brains aren’t. Those people don’t know what he and the Shelter are going through and on top of that, it is illegal right now. If they legalize it, Teal believes we are really going to have problems along with financial difficulties. He is in a tough spot here and wants the people here to have their chickens but also doesn’t want the Shelter to have to have chickens. He is just trying to help everyone out here but it is extremely hard. When the Council starts to really think about this, think about racoons with rabies or animals with diseases, referring to someone saying a neighbor shouldn’t have to sign a waiver but really, they do. If they have children, they don’t want a sick animal to come across their backyard and bite their own child. What about the eggs? You get five chickens and 250 eggs a year from each chicken, there is going to be some chicken eggs not picked up right. Maybe a child gets ahold of one and bites into it and gets Salmonella infection, which can

even come from just breathing it in. There is a lot of things here to be thought about. Teal is just trying to be as neutral but as positive as he can be. He opens the phone for anyone that wants to be on a list so the shelter can quit calling just him 3 – 4 times a week to come out and help because he will gladly take all the help he can get. He has been doing this 30 years, has a federal license, has rescued federally protected birds and what this is going to do is put more of a burden on him when it is all said and done, just wait and see. The Committee thanks him for that and everything he does for the community, as well.

Katie Fowler, Wilson Rd, Muncie, in favor, along with her husband are both lifelong residents of Muncie. They currently live on a beautiful piece of property measuring twelve acres so when she heard of this ordinance, she was absolutely ecstatic. They have always had this dream of being able to be self-sufficient, somewhat, but staying within the city limits. Go Bearcats! They have three small children, ages 6, 2 and 8 months, and they would love to raise them with chickens and have them learn the responsibility for caring and raising them. A few ways that chickens would benefit their growing family is, obviously, the eggs. She would love to be able to provide that source of food for her growing family, as well as their family and friends, at no cost. She knows that eggs are cheap and she keeps hearing it; that is great but she wants to know where her eggs are actually coming from. That would be an amazing feeling to know what is going into her chicken's body is what she is providing her three growing children. Personally, she would love to cut out these large chicken farms. She has been researching chickens for about 5 years now and it has become a passion of hers. She recalls seeing these farms and the chickens are in these tight confined spaces, they don't see the light of day and are pumped with hormones. They produce eggs for about 3 months and then are taken and slaughtered. Fowler states the chickens they get would be their pets and they would love and care for them and have the best of the best. Another major benefit for them is natural compost, as they are a family of huge gardeners. That factors back to being self-sustainable. She states her and her family would love to be able to increase the size of their garden but their soil is pretty subpar. The chicken compost will take all the poop because they want more vegetables, more fruit to be able to give to their family and friends, again, at no cost. Finally, chickens make great pest control. Fowler recalls picking off at least 5 ticks of her oldest daughter just last night. She knows these aren't going to be free-ranging chickens but her husband has already started drawing this amazing design for a run on wheels to be able to move them

around the yard where their children play. The chickens would eat up all those pests and it is actually kind of cool. It would be much healthier than the sprays and powders that are going to then be in the yard that her 8-month-old could potentially pick up and put in his mouth. Regarding some of the concerns, she totally gets it. She has trail-cams and has seen the coyotes. She even has a little racoon that hangs out on her front porch. Therefore, she can totally understand. Their neighbors have chickens already and there are probably about 20 of them. Robinson jokingly asks for the address. She continues and explains that she has never smelled them, they have never come onto her property, her kids love to look at them as they drive past on their way home and they have never created this "more predator" problem (for them), as in, they are not scared for their kids to be playing outside in the yard. Her and her family are law-abiding, tax-paying citizens and they follow the rules. They would love to see this passed and it would be great for their family. She hopes it gets researched more so that what exactly it means to her and people like her and her family can actually be seen. They want to love and care for them as well as provide for their families.

Sue Errington, in favor, clarifies she is not here as a Representative but as a citizen of Muncie and she likes the idea of backyard chickens. Not that she thinks she will ever have any but wants to share the experience in which her daughter, Amy, who lives in Raleigh, North Carolina, does have backyard chickens. Currently, Amy has 13 chickens but 3 of them are still too young to lay eggs. When she first learned she could keep chickens in Raleigh, she was thrilled. Raleigh hosts an annual event called the "Tour D'Coop" (website: tourdcoop.urbanmin.org). It is like a tour of homes and gardens except it is a tour of chicken coops. Each year, about 20 coop-owners around the city volunteer to show off their hens and coops. The organizers sell tickets and provide maps to each location. It is a fundraiser for a non-profit called Urban Ministries. When Errington heard discussion about the Animal Control, she thought maybe this could be a fundraiser that could help tend to that after passage. She recalls being in Raleigh around 2 years ago while the Tour D'Coop was going on and her daughters coop was, in fact, on the tour. They get about 1,000 visitors taking this tour every year. If you Google Tour D'Coop, Raleigh, you'll find it. It was put off this year due to COVID-19 but it is still a big event. Recalling an earlier speaker referring to the coops as a "Barbie Dreamhouse" and yes, some of these coops are very impressive. Amy took this tour in 2008 and was hooked. Her and her husband (who is very handy) started building their first coop soon after that. The

coop cost was about \$300, so ultimately not that cheap if done right. Amy bought teenage hens from a farmer out in the county and had eggs within the next two months. Three of the chickens she bought all of a sudden started “crowing,” meaning that they were actually roosters (not hens) and ultimately became Sunday dinner. One of those teenagers (back then) was Matilda, who Amy still has. Matilda is pretty spry for a 12-year-old chicken. Shortly after moving into their current house, they built a bigger, better and fancier coop, costing about \$1,000. Amy adds that they splurged on cedar siding. Hens sometimes get broody, which means all they want to do is sit on eggs and hatch them. Because they do not have any roosters to fertilize the eggs, the effort is usual at their house except for the time she decided to let broody Matilda become a surrogate mother. Their flock had gotten small due to illness and a sneaky fox so Amy found a local farmer selling fertilized eggs. She bought a dozen and put them under Matilda, which is a pretty large clutch for a hen. After 21 days, they ended up with 6 baby chicks. Some of the eggs cracked from other chickens stepping on them and others never hatched. It was a great experience for her kids and plus, baby chicks are so adorable. Amy thinks her city kids have slightly more respect for farmers and farm chores and exactly where our food comes from. Her hens are basically pets with benefits. They all have names and personalities and love getting treats like stale bread. Mrs. Errington recalls being there one time and those hens polished off the watermelon until there was nothing left but the outer green. Robinson thanks her and tells her that her time is up but she may finish what she was saying. Errington continues explaining that Amy has gotten some of her hens as day old chicks that they raised indoors in a box with a heat lamp until they were old enough to live outdoors. Miss Fancy Pants is Amy’s current favorite with feathers on her legs and is very friendly. The benefits come from the eggs. Miss Fancy Pants lays dark brown eggs but Amy also has hens that lay white eggs, light brown eggs and even blue eggs. Amy cleans the coop about every month and rarely noticed any odors. She has never had any complaints with neighbors and in fact, all her neighbors love that she has chickens because she often has more eggs than her family can eat meaning there is plenty for her to give away. Ingram states he has never seen a blue chicken egg and that seems pretty cool. Errington does want to say that she texted Amy when the question was mentioned about permits and inspections and she said she does not need a permit so she doesn’t have one and they have never had an inspection. Ingram states he noted Raleigh, North Carolina as one of the places to call and get some information on their chicken ordinance. Errington states she wouldn’t mind

asking them what it costs their Animal Control and see if she could get that information for Thursday. Ingram appreciates that and thanks her again.

Ida Fruitt, in favor, grew up on a farm and has seen the good and bad side of fresh eggs and store-bought eggs. Fresh eggs, of course, is what she had growing up on the farm but she also had the opportunity (one time) to tour the farm operation. The chickens were all in one little space so far apart and couldn't hardly stand. They sat there, day and night, and all they did was eat and lay eggs. That was it. That is how they lived and that is how those white/brown eggs that we get from the store come about. Talk about unsanitary. The difference in the taste is enormous. If any of you have ever had the opportunity to have a real fresh egg, those store-bought eggs aren't going to taste like anything in comparison. In closing, Ida states she is pro chicken.

Jennifer Jas, in favor, explains she is in support of the chicken ordinance. She is very excited at the possibility of having backyard chickens here. She would be one of those responsible home owners who would build a coop that would be secure and hopefully keep coyotes and racoons out. That would be the plan. She did not even know about the support group and the list of signatures previously discussed and states she would be willing to join the list. She is just one of those people who would love to have backyard chickens here and would take care of them. She lives in the Old West End but will be moving her parents on to her property soon and instead of having young kids, it would be her and her parents doing this as a project. She recalls hearing several times this evening already that there is an expectation that the majority of people who would get backyard chickens would be good caretakers of he chickens but of course, there would be some who wouldn't follow the law and would harm the chickens or cause an expense. She thinks it would be a shame for the City not to pass something that could do so much good for the majority. Knowing that with any ordinance that passes, there is always going to be some that don't do things the right way. Also, Jas thinks that chickens are a natural composting process that is a beautiful thing so kitchen scraps can be fed to chickens along with bugs outside. The eggs, too, would be of much benefit to her family, to have the opportunity to have their very own tasty eggs. Also, because she loves animals too, she wants to get eggs from her own cared-for chicken's verses buying eggs that came from chickens that have a sad life. Finally, there are ways to use chickens as compost for the garden. For all those reasons, she is insinuating support of this and is excited

about it. Hopefully, in the future, her home in the Old West End will be on the "Muncie Tour D'Coop." Robinson comments she would just need to start organizing it.

Kevin Davidson, in favor, explains he is one of the people that are for chickens. Like an earlier speaker said, Davidson is one of the people that built a coop in his backyard and didn't tell anybody. He clarifies that he doesn't have any chickens now but had them for 3 or 4 years in his neighborhood. He had more than the amount allowed in this ordinance, though, counting as many as 15 at one time. He never had any complaints from his neighbors. As a matter of fact, 3 small children that lived on one side of him and a young couple that lived on the other would all come over and look at the chickens. Mr. Davidson would tell his neighbors all about them and what they did. Like his daughter said, chickens rock. He thinks it will be a disservice if this does not pass to allow chickens. They are beneficial in a lot of ways. He understands the concerns and there are a lot of issues that could possibly come up like people not taking care of them but they are here. Chickens are already here and they are not going away so we can pass the ordinance and have some say over it, or not pass it and the chickens are still going to be here. People are still going to have them. Chickens are a lot different than marijuana and cocaine. Robinson reminds everyone to keep their comments to themselves and to be respectful to the current speaker and vice versa.

Kimberly Ferguson, in favor, N. Petty Rd, states she is 1 of the 3 people that worked with Councilman Clark on this ordinance and wants to address a couple issues. She mentions her getting up and speaking at the last meeting. Jeanette, Councilman Clark and herself, put forth a lot of time thinking about neighbors when it came to this ordinance. That is why they requested the wording to state only 6 hens. Jeanette, specifically, spent a lot of time looking at other communities. One question they asked was what those communities are doing. They came across a town that allowed 12 hens and a rooster and they didn't think that was right for Muncie, being a smaller community. There was a lot of time and thought put into the neighbors, though, Mrs. Ferguson states she lives on an acre of woods so her house is not visible from her neighbors. She would also like to address Muncie Animal Control, specifically, and state that not passing this ordinance will not stop the people who have chickens now from having chickens. It will only keep law-abiding citizens (the people who are going to keep good coops and clean chickens) from having chickens. Law-abiding citizens follow

ordinances and non-law-abiding citizens don't. Passing this ordinance is not going to stop them from having chickens because it is only people like us (support group in favor of) who follow the law that are going to not get them. Where do you think all the chickens at Rural King and Tractor Supply Co. go? Do you think they all go to the county? Of course not. It is really just stopping the people that are going to well-care for their chickens and feed their families. The other issue is if Mr. Browning is going to stand up here and talk about the problems of the Shelter, he needs to respond to Jeanette and Councilman Clark's e-mails that have been ignored where they have tried to reach out. They have tried to want to fix problems that he (Browning) has. They will continue to want to help fix problems. We don't want this ordinance to pass and become a burden on our city. We have tried to work really hard but if you don't respond to those e-mails then we can't know there is a problem or let alone 18 chickens in the Animal Control right now. Ferguson continues and states she owns her own business as well as 30 rental properties so she is not used to dealing with misinformation because she fires people who often are incompetent or have misinformation. If you read the ordinance, there are a couple things and number one is that apartments can't have chickens. It is written right in the ordinance of Sec. B so it is misinformation to say if you pass this ordinance, apartments will have chickens. That is not the case and that is written right in the ordinance. Robinson believes it was mentioned as rentals, as an earlier speaker talked. Ferguson states no, he didn't refer to it as rentals. It infuriates her when she hears a lack of facts and misinformation around an issue that she cared so passionately about. She has two small children and looks forward to them doing 4H and learning where food and eggs come from. As a responsible citizen and someone who will have a good and clean coop, she hopes the Council votes to pass this for the 550 people that are on the petition. It has only been 4 weeks on the petition and that was 2 days before the last City Council meeting. It hasn't been 3 months and even if it had, who cares, there is still 550 Muncie residents whether it has been 6 years or 4 weeks. The other thing she would like to say is she is really thankful to Jeanette and Councilman Clark for working so hard on this and spending so much time thinking and talking about our neighbors and really considering what would be best for our community. She hopes the Council votes yes to this ordinance on July 6th and that they think about things like if we need permits or other things that could make this work for the community.

Robinson states he has heard that chicken droppings can be used as fertilizer and from what he has read, chickens produce an extreme amount of excrement each day. He asks Ferguson what is done when all the flower beds and gardens have been fertilized, where does the waste get disposed? Ferguson asks where you dispose of dog excrement. Robinson is asking about chickens, specifically. Ferguson states most people that walk their dog that poops somewhere, they would clean it up, tie it in a bag and throw it away. That is how you properly dispose of waste. However, chicken excrement is so good for gardens, she would say most people would find a neighbor or gardener that the excrement would go to. If not, they would have to put it in a waste bag, tie it up and throw it away. That is how you clean a chicken coop. It is just like how you would clean up after your dog because you don't want dog poop all over your yard (nor would you want chicken dropping all over your yard either). Robinson has some more questions and is only asking her because he knows she has done a lot of research. He asks if chickens could also be an attractant to predators such as skunks and racoons. He is asking because he really does not know and from his limited research and his own curiosity, it makes him wonder if his neighbors have chickens is he (as their neighbor) going to see more racoons. In his district, around where Ferguson lives, there is a number of red foxes and recalls his dog facing off with a little family of racoons just the other night. What can be expected?

Ferguson believes we need to look at other communities like Indianapolis, Terre Haute and South Bend that already have chickens. They do not see an influx. Are you going to see racoons around your coop? Sure. A racoon set off one of her motion-activated security cameras at around 4:00 AM just last night. A racoon was trying to get into their trash. If you leave your trash open, you are going to attract racoons. If you leave your coop open, you're going to attract racoons. But, it is in the owners' best interest to close up their coop because racoons eat chicken, just like you eat chicken. Most responsible owners are going to have their coop closed in such a way that if a racoon comes, it can't get in and just keeps on moving. She can't say for 100% but would have to say no, you are not going to see a significant amount more, though, the people with chickens will see racoons on their property.

Robinson refers to the e-mails he has gotten of those individuals who are against the ordinance that have really talked a lot about the health issues. Is it fair to say that chicken droppings may be more hazardous to sanitary workers than dog or cat waste? Ferguson answers no but would rather Dr. Thorpe to

answer that as he is a medical professional and jokes that she didn't go to school for nearly that long. Robinson appreciates that and brings up, again, the fact that they were trying to get in touch with someone from the Delaware County Health Department but they just haven't been able to get through. He would hope that the Health Department would be the authority on this and be able to give some guidance to the Council. He hopes that maybe they will get back with them in the next couple of days. Ferguson mentions Councilman Clark speaking with someone and from his seat in the audience as he makes an inaudible comment. Robinson confirms that Clark got a phone call back. Robinson then asks Ingram and Smith if they have any questions for Ms. Ferguson, in which, they do not.

Audie Barber states he was mentioned by the last speaker and would like to make a statement. Robinson states he will allow 30 seconds. Barber states that is fine, it won't take long. Misquotes. She (referring to Ferguson) advised there was 561 people on the petition from Muncie for this. He just went through the petition and she is talking about false information. There is a lot of people from outside of the state of Indiana that are on that petition. He names New Jersey, Mississippi and Kentucky as a few examples. Ferguson tries to comment from her seat but Robinson interjects and states they are not doing this going back and forth and that is enough from Barber. Barber claims he was allowed 30 seconds and his time is not up yet. Robinson asks Director Browning if he would be willing to come up and address any of the issues Ferguson brought forward. Barber, still at the podium, states he had 30 seconds until someone interrupted him. Robinson states he had his 30 seconds and they are not going to go back and forth, he understands what he is saying about the misinformation and understands his side. Robinson then asks Committee members Ingram and Smith if they understand his point. Smith states absolutely. Barber states he just wants to make sure everybody... as he was accused of giving false information and he should be able to rebut that. Robinson comments that he did. Ingram states no one is on trial here, first of all. Barber states it is not about being on trial, its people want to think he is being misleading when he is just pointing out the misleading facts being provided to the Committee. Ingram states Barber was given that opportunity.

Ethan Browning, Animal Shelter Director, points out that this is not any type of personal attack against people that want to have chickens. He was just merely asked to respond on how it would affect the Animal Shelter. He is sworn

to an oath to uphold his duties to the Shelter and that is what he is doing. He did get to sit down with Councilman Clark on March 3rd to discuss the ordinance. Browning did mention those same concerns that he brought up today. He would also like to point out that he did not receive the e-mail from Clark until yesterday at 1:31 PM and had not had enough time to respond to him because business hours are from 10:00 AM to 6:00 PM and then he was on a cruelty case until 10:00 PM last night. The Department is 24/7 and does not stop so he apologizes for not being able to get back with them in that short amount of time. Browning also wants to point out that they currently do not patrol the streets. It is not something on their own accord that they go and look for violations. There is absolutely no budget or way to do so. All of these complaints are received from the public and the residents that live here in Muncie. The Shelter employees do not go out on anything unless they are called out on it. These are all current complaints that they have received. Again, he is not trying to generalize and say that everyone is not intrinsically motivated but the way that this packet is put together, it specifically says it is the natural absence of these violations to these conditions and that poultry keepers are intrinsically motivated to keep their animals well-contained and high-quality housing to deter predators. Browning believes that is generalizing. Obviously, there are things he would love to work with them on and he hopes that they would be for coming to the Shelter and see what they deal with everyday and see if they could meet in the middle somewhere. If they could take the Shelter out of this completely, he would love for everyone to have chickens. He is not against people having pets and being happy in their homes with what they have. He just knows that it will fall on the Shelter because that is something they see now. They also use that ordinance to deter repeat offenders so there is that leverage in there by saying that you cannot have poultry in the city. If you continuously violate it, they will seize the animal. If that is removed, they have to just keep going out and keep going out and keep going out until the person is up to code. That means issuing citations each time and place a further burden on City Court. Mr. Browning continues he would love to sit down and discuss it with anyone that is willing to. He is just pretty busy working 80-hour weeks with no Assistant Director and again, running a 24/7 Animal Control Department. They stay very full and are on some very nasty calls sometimes so he is not always able to respond to an e-mail.

Aurora Green, states this month will mark 17 years of her being here in Muncie. Around 8 years ago, she asked her husband if she could have chickens and he said no, not in the City of Muncie. Robinson jokingly asks her how many she has. Green states she has had chickens previously in other places that she has lived and took very good care for them. She developed a system in which she used a lot of bedding for them so there is not a lot of odor. Also, there is a special way she cleaned things out. If she is cleaning a chicken coop, she wears her goggles and a (dust) mask. She thinks it is in the way that you keep them as to whether or not there is going to be an issue with your health or anyone else's health. She also thinks that people should be charged for a license to have their chickens. Any animal in the city of Muncie should be licensed and that is just her belief. If she wants to keep this animal or that animal, she should have to have a license to do that. That cost of that license could help them at the Animal Shelter for animal control on the people who aren't responsible.

Dr. Michael Thorpe, MD explains he used to live in St. Louis and they allowed chickens there. No, he didn't have any there but it is a large city and (inner cities) he believes had a limit. His friend in residency also had chickens but no roosters were allowed. It was a backyard setup so a similar situation to this one and was great for the kids. It did very well. A couple of things that have come up in conversation that he wishes to comment on and that is within the city, everyone is allowed to have a dog or a cat but not everybody has a dog or a cat. So, just allowing people to have chickens doesn't mean everyone is going to go out and buy one. Setting everyone free to have them isn't going to just inundate the city with chickens running down the streets and everything like that. Therefore, just making that generalization is an unfair statement. Allowing people to do so will allow more people that are interested to do it. He is sure that little baby chicks will be given as presents at Easter along with other sorts of things. That then raises the question of homing those chickens which we just found out tonight, homing a chicken is much (more) easier than homing a cat or a dog because there is a list of places and people that have signed up that could take more and more of these animals as opposed to the thousands of dogs and cats that need to be homed. That minimizes the concerns. Also, if it is legalized to have chickens then the concern for them going out to manage those chickens or cite those chickens may be less because now, they are legal. Now, in theory, they have a decreased obligation to go out and check on chickens which are illegal

now that they are legal to have. There are still going to be the people that are not law-abiding. If they are non-law-abiding, they are going to be non-law-abiding. Those that are law-abiding will build the coops and keep them where they are supposed to be. Dr. Thorpe believes allowing those that want to have them is appropriate because we desire to keep the laws. Those that are going to break the laws are going to break the laws, like with drugs, guns or whatever else. Those people are going to break them, if they break them. Those that keep them, keep them. He does not think setting an ordinance for people to follow that allows people to have chickens will place a burden on the system that is managing those that break the laws by increasing the number of people to keep the laws. In reference to racoons and other animals, everybody has a trash can but we can't outlaw trash cans. He recalls once having racoons going through his trash cans, tearing open the bags and throwing things out. He solved the problem by putting a brick on top of his trash cans to "manage his trashcan." Everybody manages their trash can and their waste outside their homes so everyone is subject to not letting racoons and other scavengers (including skunks) coming towards their homes because there is trash. That can be managed very effectively so people should be able to manage their chickens very effectively because people will not want the mess from their investment. Managing those sorts of things for the scavengers that are around is just something we can do very effectively. The last statement he would like to make refers to people that take care of chickens and are not a problem to the community. In his neighborhood, there is some people that have some cooped-out chickens illegally but no one really sounds the alarm because they are taking care of them just fine. There is more out there than we know so making it legal allows people to have them. To touch base on the Histoplasmosis question, he would like to bring up two separate points. Barber then makes a comment from his seat in the audience and Robinson informs him to stop. Barber states Dr. Thorpe's 3 minutes has been up. Robinson clarifies they are allowing him to address a question that the Committee had asked earlier. Dr. Thorpe continues addressing some concerns about animal droppings and diseases. In cat feces, it is very common to have multiple diseases including Giardia, Cryptosporidiosis and Toxoplasmosis. Cryptosporidiosis and Toxoplasmosis are both fungi and are very consistent with Histoplasmosis, just within a different type of species. A cat poops in a box in your own house, your own house, and you have to scoop the poop with your hand or a scooper shovel and throw it in a bag, tie it up and throw it away. In your own home, you have a box where an animal poops and leaves all these different spores in your house yet

we don't have a raging amount of Cryptosporidiosis or Toxoplasmosis. We don't have those outbreaks. Histoplasmosis is in all bird feces, referring to an earlier speaker who mentioned pigeons. They took care of the pigeon problem and the inundation goes away. If you keep clean streets and pigeon poop away, it goes away. That goes for birds, as well, as long as you manage it and keep good, clean areas, Histoplasmosis and the exposure is minimal. If we were to say that all people that take care of chickens has Histoplasmosis problems then we would have a history of farms and every farmer that is known would potentially have Histoplasmosis. Does every farmer have it in their family? No, we don't hear that and there is not a history of that. Dogs have Campylobacter bacteria and Salmonella (which we've all heard of being in chicken eggs, but can also be found in dog poop), Yersinia and E. coli. All of those can cause significant diseases yet we have dog poop in our yards and we don't deal with people coming down with all these different diseases. Diseases are possible. Are they out there? Absolutely. Do we see them in the hospital? Absolutely. Do they see them in patients? Absolutely. However, it is not a ramped problem or disease overburden problem. The CDC comes out and gives recommendations on how to manage chickens and none of that said you are at a high risk of Histoplasmosis. They rather said wear gloves, cover your eyes if needed, wear a mask and dispose of their droppings appropriately. All of those different steps are taken to manage the disease exposure appropriately. As that is done, follow the recommendations and there is no for sure that if you do this you are going to decrease your exposure to Histoplasmosis and if you do this correctly and it be a healthy exposure. In talking about disease exposure, Dr. Thorpe believes it is truly a non-issue because we live around all sorts of other animals that produce these things all the time and in fact, other pathogens that are even more deadly but it doesn't plague our community.

Councilman Clark, W. Petty Rd, is the author of ordinance 16-20 and really appreciates the time the members of the Land and Traffic Committee have put into this. It is really important to allow public input on both sides so he appreciates their willingness to allow this. First, he comes to the Committee as a father and a citizen of Muncie that knows what is best for his family. What do backyard chickens really mean to him? First, it is a local and nutritious food source. His wife, Maria and himself, years ago started a journey for healthy eating. They take ideas and recipes from books like "100 Days of Real Food" and "Nourishing Traditions." They like to know where their food comes from and

enjoy sourcing local foods. They enjoy farmers markets, orchards, strawberry patches and vegetables and fruits from their own garden. They are herdshare members and refers the comment from Barber about cows being next. Well, Clark has been a cow-owner for 12 years. He gets fresh milk and fresh cream from Pasture's Delights in Decatur. So yes, you can be a cow owner. Also, he thinks about responsibility and education. His children are home-schooled as his wife is an educator. They are continually seeking opportunities inside and outside of the classroom. A backyard flock would provide lessons in responsibility and animal care. He also thinks about what this means or the City. Increased quality of life is important to citizens. This happens through 4H, healthy eating, sustainability, recruitment and retentionable workforce. We think of potential as new or relocating residents. Who is going to look at the amenities of a city and decide whether to live here or live somewhere else that they could enjoy those amenities and those hobbies that they have. He thinks about the positive action that having a backyard coop could be and the fight against insecurity, food insecurity in particular. It is no secret that Muncie is one of the most impoverish second class cities in the state. Unfortunately, there is an unhealthy number of citizens who live within food deserts. This ordinance will provide a nutritional lift for those that might be residing in one of those areas. Clark thinks about all the time they put into this and knowing that he is as personal freedom as anybody on this Council, yet, this is actually too restrictive for him. But still, he had to put it into terms of knowing what would work, what would be sufficient for the Animal Shelter to not put undue burden on them and to not put undue burden on the rest of the city. 90% of all major metropolitan cities allow backyard chickens. He believes they have to trust their constituents and put trust into people that they will do the right thing. Of course, there is always going to be somebody that decides to break the law and unfortunately (as Mr. Teal said) treat chickens unfairly. People treat dogs unfairly. People flush things down the drains all the time and it could be surprising what is actually swimming in the White River right now. The CDC offers facts and tips on healthy living with humans and raising backyard chickens. There are 328.2 million people in the United States. In 2019, there were 1,134 Salmonella cases assumed to be related to backyard chickens. That is out of 49 states and 219 hospitalizations. When it comes to chicken poo, it is fertilizer and biodegradable. The average 6 chickens will produce 1/3 less chicken poo than the normal size dog.

Councilman Robinson thanks him for speaking. Councilman Smith suggests asking anyone that came in late and didn't get a chance to sign up to speak may come forth now. Councilman Ingram agrees. Robinson wants to be respectful of time and the people that did sign up to speak and states they will allow one more of each, in favor and against.

Robert Giffins, in favor, didn't realize he had something to say. He came from a smaller town before he moved to Muncie about 40 years ago and grew up with chickens. They had a chicken coop measuring about 8x8 feet that housed around 15 – 20 chickens (he can't recall). Unfortunately, they had a couple of roosters which he did not like. They had the roosters just so that they could have baby chicks. The interesting thing about that is they went ahead and raised the roosters that hatched so they could have them for lunch. It was good. He offers his expertise in butchering chickens as he learned it at about 9 or 10 years old. It is quite easy and they are delicious. You do not know what a chicken tastes like unless you have a chicken that was raised normally. The eggs? Wow. He doesn't know whether to admit this or not but he and his wife had 7 or 8 chickens for about 10 years in Muncie which they didn't know it was illegal. The only people that knew about them were their neighbors because they got some of the eggs and chickens.

Benjamin George, against, is not much a public speaker and doesn't know what hasn't been said or has been said but clarifies he is against chickens. Everything that has been heard tonight for the argument for chickens has been from responsible owners. He hates the idea of not having chickens for the people who are responsible. One of the things that he thinks we need to pause and ask ourselves is, (and he has heard this statement that the majority) people that want chickens are responsible. He does not now how true that statement is. One of his concerns as a citizen of Muncie is when you look around at the people who have dogs that bark all night or people that walk their dogs and not pick up their poop, most of them are law-abiding citizens. They are not lawbreakers and they are average people. He thinks the same applies to chickens. People that want and are going to get chickens who don't take care of them aren't necessarily people that don't obey the law. These are going to be people who had had a tough week at work, a newborn, twins, whathave you, whatever it is. His concern is with the people who won't be able to keep up with having chickens. He does not know if it is fair to say that the majority of people that will have chickens or

want chickens will necessarily be as inspiring as people that have a passion for chickens and have shared their stories here tonight. It is truly inspiring, he just questions whether that represents the majority of the people.

Councilman Robinson states if anybody that has anything to add that has not yet spoke this evening, the Committee will entertain one more. No one steps forward. Robinson continues that they will be back on Thursday evening at 7:00 PM.

Councilman Smith would like to thank everyone for their participation and passion on both sides of this issue. They have a difficult decision to make but the passion and position of both sides is greatly appreciated by the Committee.

Councilman Ingram wants to reiterate what Smith said. It is amazing when the community comes together, whether opposing one another or not. He appreciates that everyone kept it civil and thanks the audience for that. He wants everyone to remember that we can disagree but that doesn't make us enemies. He thanks everyone for coming out and looks forward to seeing everyone again on Thursday.

ADJOURNMENT:

A motion was made by Ingram and seconded by Smith to Adjourn.
A roll call vote showed 2 yeas and 1 nay (Robinson). ADJOURNED.



Jeff Robinson, Chair of the
Land and Traffic Committee of the
Muncie Common Council



Belinda Munson, Muncie City Clerk of
the Muncie Common Council



Brad Polk, President of the
Muncie Common Council