

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

**THURSDAY, JUNE 25, 2020**

**SPECIAL MEETING:** 7:00 P.M., 1<sup>ST</sup> FLOOR CITY HALL AUDITORIUM.

**PLEDGE OF ALLEGIANCE:** Led by Councilman Smith.

<b>ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>
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 welcomes those that first attending along with everyone that came back to the second of the 2 Land and Traffic Committee meetings. They are here this evening to talk about ord. 16-20 which is an ordinance amending Ch. 90 of the City of Muncie Code of Ordinances relating to backyard chickens. Robinson asks to make sure everyone that is wanting to speak tonight has signed up to do so. A few audience members come forth and Robinson takes their names to be added to the list. Now that everyone has signed up, Robinson reminds everyone that the Committee will be limiting speakers to 3 minutes due to the number of people signed-up to speak. However, he does want to make it clear that he is not going to cut anyone off and will let the speaker finish their statement being made. If a speaker is telling something that the Committee hasn't yet heard, he will allow the speaker to continue. He just wants to make sure everybody understands that and that he is not playing favorites or giving anyone more time over anyone else for any unnecessary reason. It is the fact that he does not want to be rude to anyone so he will let the speaker finish what they are saying and hope that the audience members will do

the same and show respect this evening to everyone that is willing to speak. Robinson has been surprised at how polarizing this issue can be and he understands there is a lot of passion behind it. At the end of the day, we are all citizens of the city of Muncie and want what is best for our neighborhoods and ourselves so he just asks that each and every person show respect this evening. The plan is to jump right into it where they left off on Tuesday.

Ty Morton, 1201 N. Granville, in favor, states he agrees with Robinson in this being a pretty divisive issue. He is surprised at just how divisive it has been. One thing that everyone in the room can agree on is appreciating the time and attention the Land and Traffic Committee has paid to this so he thanks all three of them for that. Most people that know Morton is in the "for" camp, obviously, as almost 10 years ago he was pushing for almost this exact same legislation (Councilman Smith may remember). The one he was pushing was based more closely on the ordinance passed in 2006 in Bloomington, Indiana, which he has a copy of. We are not breaking any new ground here. There are communities all over Indiana that have urban chickens and they don't have problems and handle it well. Some of the concerns that have been brought up can be "put into some buckets" and then there are some that are just on the sort of "ridiculous" side. We are not going to have wolves prowling the streets of Muncie trying to get chickens. Some of the other things are sort of like a slippery slope to urban cows and backyard (inaudible) but some of those concerns can be pushed aside. There is a bunch in the middle, however, that do sound legitimate. Morton spoke with Doug Sanford who is the ACO for Hamilton County but before that, he ran the Animal Control for the city of Carmel and before that, he was an officer in Indianapolis. He is also the co-founder and Vice President of the HALO Association, which is the Hoosier Animal Law Officers. Morton believes the opinion of Mr. Sanford to be probably pretty well established. When the two were talking, Morton asked questions about the impact of urban chickens on his operations and he basically said almost none, negligible. In all the years Mr. Sanford was doing this, the busiest year resulted in 6 complaints that were all for chickens running at large (neighbor complaining because someone's chicken got out), except, there were a couple of people that had roosters. In those instances, the people had the roosters didn't know they were roosters until ultimately, it could be physically determined they were roosters. Other than that, there was never any issues with sanitation, cleanliness, noise complaints or anything like that, whatsoever. Mr. Sanford did offer up the covenant that part of that time was spent in Carmel so Morton believes nobody is going to put a chicken coop behind a \$400,000 house and let it go south. For the most part, Morton was advised it had never really been a problem, never

impacted their Animal Control staff and ultimately, they never had to deal with any of those kinds of issues, whatsoever. Also, of the concerns, though they sound reasonable and legitimate, the reality is just not there. The same is also true in Bloomington. Some of the concerns that were brought up that are legitimate, Morton believes can be addressed through amendments to the ordinance. For example, in Bloomington, if you have chickens in your backyard, you have to have a privacy fence. Some of the setbacks are more or less the same as Muncie's ordinance. One of the things they do in Bloomington, also, is apply for a mandatory permit. Morton then holds up the actual Bloomington application. What the permit consists of is an affirmation that you have not committed any animal cruelty laws, violations or anything like that but it also asks for the breed, sex, age and color of the chickens that you are raising. That is in place to assist the Animal Control if there is a situation where chickens are running loose. When they encounter them, they have an idea of who they belong to and can help get the chicken get back to the proper place. Morton has copies of that in case anyone would like one. Robinson informs him that his time has expired but he appreciates the copy and the information provided.

Councilman Ingram has a few questions and refers to his last proposal being based off the ordinance in Bloomington. Morton confirms and expresses he has a copy if Ingram would like it. Ingram states he actually has already seen it but he just wanted to ask if Bloomington requires inspections pertaining to the ordinance. Morton confirms that yes, they do. Ingram asks if it is also true that (in Bloomington) if you add chickens to your flock, you are required to have an additional inspection. Morton can not speak to that as he does not know. Ingram states he read the Bloomington ordinance and talked to Julia and that is one of the things she informed him of. Also, would it be outlandish to add something of such (not with the adding new chickens to a flock because he doesn't necessarily agree with that) because he does believe that inspections are something that we will need and asks if Morton is in that belief, as well. Morton answers yes, he does believe that there are solutions that can minimize the impact of it. He also believes in Bloomington's case, the permit application is at no cost and in Muncie, we could put a nominal cost to it to help offset some of the resources that are going to be required on a part of Animal Control. At the same time, that could actually be a part of a larger initiative to require licensing and registration of all pets.

Kristopher Bilbrey, against, explains something we should keep in mind is that it would be interesting to know the budget for Carmel's Animal Control team, as it compares to the budget for Muncie. He wishes to read something that was just posted to CNN yesterday. It is titled "One person has died and 465 people have gotten sick

after interacting with backyard pet poultry.” Bilbrey continues reading, “one person has died, 86 have been put in the hospital in the last outbreak of Salmonella connected to pet poultry, the US Center for Disease Control and Prevention reported Wednesday.” So, this is just this week. “The CDC says 368 people have also reported getting sick since May 20<sup>th</sup>, bringing this year’s total to 465 poultry related Salmonella cases reported in 42 states. That is about twice as many that were reported in the same time last year. The CDC says that 86 people have been hospitalized, one person in Oklahoma has died and about 1/3 of those that have gotten sick are children under the ages of 5. Backyard flocks have become an increasingly popular hobby. People often say that they want to raise birds because they have an interest in knowing where their food comes from, but it’s also about more than just fresh eggs, as well. People say they like the companionship the birds provide, much like a dog or cat would.” Bilbrey still thinks that should not be compared though – a dog or cat to a chicken. “Media reports at the start of COVID-19 pandemic show that hatcheries nationwide saw a spike in orders for the birds. The hobby can be fun and educational, but families have to be aware of how to safely manage the animals, according to the CDC. It's a little different than raising a dog or cat. The CDC sends out regular warnings about the Salmonella risks from backyard flocks. There have been more than a dozen outbreaks of illness connected to live poultry since 2011, according to the agency. Chickens and other poultry carry Salmonella in their digestive tracks. The harmful bacteria can get into their droppings and onto their eggs and feathers. While it doesn't bother the chicken, it can give people stomach cramps, diarrhea and other, sometimes serious, symptoms.” Bilbrey, again, states he just wanted read that after it came out just yesterday (Wednesday). He doesn’t mean it for the people here in disrespect but this is an increasing “fad” that is happening, whether people want to take is serious or not. He does not believe anyone in these 42 states wanted to get anyone sick or anyone’s children sick. They are probably taking it very seriously and there are people there that (probably) do not have problems. The issue is not people who are going to do it well, it is going to be the people who do not do it well. The other thing is it is interesting that Morton said that people in Carmel didn’t want to put chicken coops behind \$400,000 homes and Bilbrey agrees with that.

Robinson has a question as it relates to that article and asks that those cases of Salmonella were (and maybe it doesn’t say in the article or Bilbrey may just not know) cases where the person owned the chicken. Mary Stilts adds that she provided a packet to the Committee and if they look at that, the entire article that Bilbrey read can be found in that packet. Bilbrey confirms that the article says it is related to backyard chickens so it can be assumed. Robinson explains the reason he asks is because along

with any ownership of any pet, whether you consider a chicken a pet or not, with that comes along a certain set of personal responsibilities such as understanding and maintaining. Robinson surely doesn't want to see anyone get ill. He would be more concerned if neighbors or people 2 houses down were getting ill because of people's backyard chickens. A number of constituents sent Robinson the exact article today and that was one of the first things he thought. Again, he doesn't want to see anyone get sick but along with any pet ownership and any decisions we make in our lives we have to take some personal responsibility. Billbrey adds that if the vote is not taken until July 6<sup>th</sup>, he can try to call (or a Council member can try) the CDC and see if they have actual numbers on that and if the people that are not in contact are getting sick or if it is just the people that have chickens.

Paula Shockey, in favor, just looked up Salmonella poisonings and 1.3 million people per year get it and it is typically food borne. That is 430 people that keep chickens, therefore, very negligible. She wanted to speak this evening because she is pro-chicken. A lot of people have talked about how they want to keep them and raise them and it is their right to do so in this city. She saw today, on the forum, that it has been proposed that there be a tax, fee or a "chicken stipend" to keep chickens. If we are going to do that, we need to do that with all animals across-the-board. If the Animal Shelter is not funded, we need to fund the Animal Shelter. This shouldn't be a punitive thing for people that want to keep chickens. Chickens, as she has spoken before, is their passion. These are the things that are keeping the conversation going but a lot of it is misinformation that is being fed, referring to Salmonella and the chicken poop. Six chickens are probably going to produce about a quarter cup of poop a day, total. Her cats produce that once (probably) a day and she is the owner of a German Shepherd. There is a huge difference there, referring to her dog being 110 pounds of love. She really thinks that this is just going to affect the law-abiding citizen, those of which who are passionate about it and that are going to keep their chickens in a run, in a coop and keep it clean. That is the people that want this but everyone wants to talk about the people that can't take care of their cats and dogs. She is the parent of a child with a disability but not all parents take care of their child like she takes care of her children. She can't be responsible for the general population so she doesn't know that chicken passion should be brought down by people who aren't taking care of their chickens.

Mary Stilts, against, approaches the podium. Robinson wants to again, thank her for taking the time to disinfect the area after each speaker and they really do appreciate that. Stilts states it is not a problem and she is going to try and make this short and

sweet since Bilbrey covered the CDC. She did print out that article and it's in a packet that she provided the Committee. Also, towards the back, there are some printouts from some of the cities that have chickens. She talked to Mr. Jim Pritchard from Bloomington and they had a lengthy discussion. He told her if they were smart, they would blow this out and not do it. He said it has been crazy in Bloomington due to it. They were charging a \$5 permit fee where everybody had to have a permit if they wanted to have chickens in the backyard. They were allowed to have 5 hens, no roosters, and he said it did include ducks so she assumes they were allowed to have ducks too. If Muncie passes this, we should put in this ordinance that everybody has to pay a permit fee or an examination fee. This will allow checks to make sure that everything is on the up and up. Mr. Pritchard said also there needs to be put in a stipulation for violations. It should be like okay, the first time you've had a chicken lose you get fined \$25, the second time you get fined \$50, the third time you get shut down. Otherwise, you're still going to have it... Stilts then refers to the people that are pro-chicken before being cut off by Robinson to address the Committee, not individuals. Stilts continues, the people that are pro-chicken will take care of their chickens. She has no question that every person in this room will but there are 50 people outside that won't. The Animal Shelter is going to get swamped and the Animal Shelter can't afford it. The Council knows what the budget looks like. There is no money for the Shelter to expand an outside area where they can keep chickens in the warm weather and have it heated in the cold weather. The Animal Shelter doesn't need any more burdens than what they've already got but if it is decided to do it, there needs to be a permit fee or an inspection fee at \$25 a year where somebody from the Animal Shelter has to go out and inspect that coop once a year. When they do, they pay their fee and they are clear for another year, unless the neighbors are complaining. Sometimes, you might have to go out and do an inspection and ask if that person let it slip or if they are not keeping it clean now. Mr. Pritchard said that would help pay the Animal Care Officer that is going to have to be trained to go out there and check that coop every year. We may have 20 coops in town but then again, we may have 500. We don't know what it is going to come to. If any of those 500 are going to be as responsible as the people in this room right now, is her concern.

Patrick Ferguson, N. Petty, in favor, states ever since "Urban Chickens Muncie" began, those that are chicken proponents such as his wife Kimberly, Jeanette Merrill, Shelly Fruitt, Councilman Clark and many others have argued passionately and reasonably regarding this issue. When they have been asked, they have been for coming to support their arguments with data and expert opinion. Based on hours of

research and guidance from the thousands of those cities and towns throughout this nation that have adopted similar policies, the ordinance before them is a well-reasoned, thoughtful proposal that brings food security and joy to many of the citizens of the city. On the other side, the opponents of this measure have done the opposite by using 2 of the main toxins that poisons public debate, fear and speculation. Fear over this issue has been driven in large part by the supposed health and sanitation issues that are caused by chickens and their coops but as Dr. Thorp so elegantly stated in Tuesdays meeting, as long as minimal, personal protective measures are taken, the thread of contracting disease for an individual is null and the threat of the disease to the city-at-large is non-existent. Yet, there is no data to back their assertions, the opposition persists by using weak, anecdotal evidence for social position and imaginary scenarios time and time again. The other tool that has been used by opponents for this ordinance is speculation. Over the past month, Ferguson has heard the same thing over and over again, "what if this, what if that?" From Animal Control to public comments, they have been subjected to fear-based speculations that Muncie would be overrun with chicken problems, should this ordinance be adopted. Furthermore, opponents for the ordinance are using speculation in order to present statistics and budgetary information but failing to say where they are getting their information, time and time again. If we look at our neighbors in Indianapolis, Bloomington and Terre Haute, do we see wild packs of chickens laying waste to their cities? Of course not. In fact, Ferguson has not seen one news article from any of the thousands of pro-poultry municipalities in this nation that point to our feathered friends as being a major disruption to the operation of those towns and cities. Effective government cannot be run by cow-tailing, fear and speculation. We should be open and excited to engage with an idea that could help the citizens of our city to become a little more independent and will help the younger generations learn a love and respect for local sustainable food practices. We should not cower in fear while the paralyzing question of "what if" poisons their debate. So, the final question for the Council is, do we join the thousands of towns, cities and municipalities across the nation that have embraced urban chickens? Or do we allow the debate to be won by fear and speculation by a small and vocal group of citizens that believe the sky is falling? In other words, Will Muncie become a city with chickens or will it remain the city of chicken littles?

Ashley Honeycutt, against, first thanks the council for holding these meetings in opposition and support and appreciates all of the support from the community on both sides, as well. She really doesn't have much to add, apart from what she spoke about on Tuesday but would like to say that if you're advocating to and admit an ordinance

that you're currently in violation of, why would Animal Control assume that you would comply with an amended ordinance? This is precisely why they are having the issues that they have, non-compliance, and why there is trouble enforcing them, as well. Several supporters sat up here on Tuesday night and proudly admitted that they were knowingly in violation of the current ordinance and not only admitted that but said if it doesn't pass they will still continue to do so. So, if you're going to prefer your argument on that, it is absurdly hypocritical and quite frankly, makes her job a lot more difficult. She states she is a taxpayer too and is expected to follow the rules, laws and ordinances (passed by this Council). She doesn't have to like them but she does have to follow them. She has a lot of respect for the Council and the tasks that they have to deal with in making decisions. She knows it can't be easy and knows that some Council members have voters that are really in support of this ordinance and she appreciates that. What she struggles to understand is that there are people from a Department in a City who are coming to Council, essentially pleading, that they cannot enforce this ordinance. They do not have the staff or the funding to do so and due to that, struggle enforcing the ordinances in place, now. She can't help but feel as if they aren't being heard all the way, and she means that in no disrespect to anyone. She just works in it every day and sees how hard the people work out there, Director Browning as well. They are a proud, no-kill Shelter with a 97% release rate. There isn't a person in this room besides herself and Browning that understand the work that went into maintaining that. It is very hard to do. The issue is not that they do not want chickens in the city or that they think they are going to be overrun. Again, it is that the people who won't comply. It is the same reason they have issues with the people who won't comply with the cat and dog ordinances in Muncie. She just wanted to put that out there for the Committee and is not against people having chickens but take the Shelter out of it. They can't do it, they just can't.

Councilman Ingram states the biggest question the Committee could probably ask is what it would take to make a chicken ordinance feasible for the Animal Shelter. Honeycutt states she does not know but ultimately to take them out of it because they are not going to be able to enforce it. She knows there were all these kinds of different speculations and people were throwing ideas around and it all sounds really good on paper but a lot of it isn't feasible. It's just not. Again, a lot of it still is that people don't understand the gravity of the work the Shelter does, the workload, etc. She is not complaining because she loves her job and has done it for 6 and a half years but these people do it for \$10.10 an hour. They are not there for the money, it is their passion and drive that keeps them there. It is not a difficult issue for her, but again, she is obviously biased because she works at the Shelter. She doesn't know what the solution

is. It is not that she doesn't want people to have chickens or raise their own food. It's the people that violate the ordinances when the ACO can't enforce any of it. What happens when there are calls of people not taking care of their chickens? They will call the Shelter. She does not know what the happy medium is but it is not that the Shelter doesn't want that. Ingram assumes her and Browning would both be more than happy to get together with some of the proponents of the chicken ordinance and try and work something out should they choose to reach out. Honeycutt states yes, and she really does appreciate the time and everybody being here. It is not personal, it really isn't but when you see what they see every day, it is a lot.

Councilman Robinson adds that he certainly does see the Shelter. The Committee understands the Shelter, what they go through and what they deal with on a day to day basis and hopes they understand their position as a Council, that it is important to listen to everyone before making a decision and determination. He doesn't want her to think that they are not hearing them because they certainly do, loud and clear and refers to some of the several conversations he and Browning have had. Robinson knows they don't have an easy job and appreciates what they all do. The 4 or 5 times he has toured the Shelter, he hasn't left with a dry eye. It is horrible what they all deal with so he thanks them, again, for all they deal with.

Natalie Yates, N. Tyrone Dr, in favor, teaches Landscape Architecture and is an Assistant Professor at Ball State. Her research area is local food systems, urban agriculture and postindustrial cities. She immediately injects the things she sees into this discussion. She didn't prepare anything to say because she wasn't sure what to say but she does want to state she is obviously for backyard or urban chickens. She appreciates all of the arguments on both sides and thinks there is merit in all things looking at it. There are 3 things that Muncie needs to consider. Food education is a top thing. Our kids are more and more not understanding where their food comes from and that is really sad in an area that has a really strong history of agriculture, production and understanding the land. Another area that needs to be talked about is local food security. Yates states she is a visual person so holds up a map of Muncie of the USDA database on food access. All of those areas in color have low income and low food access. That means that they don't have access to a grocery or food within a 20-minute walking distance. Most of Muncie is in a food desert. Backyard chickens aren't going to solve this. Backyard chickens aren't going to solve anything, but there are little steps that we can take to start helping out food security and start learning about local food. The other thing she wants to talk about is that Muncie is constantly concerned about how we can build the city and attract new residents. How can talent and education and

all of the things that support a community get here? Muncie has a lot of it right now but we can have so much better. Attracting residents means supporting initiatives that allow people to live in the way that they want to live. She thinks that is the way everything should go but backyard chickens are something that has been supported throughout many cities across the United States. She moved here in 2017 from St. Louis and she was shocked when she found out that Muncie didn't allow chickens. She had 3 flocks in her neighborhood in St. Louis City and they were fantastic. Next door was so much better there because people were constantly talking about chickens rather than a lot of other stuff. Yates then holds up a map of cities across the United States (not all of them because it is impossible to find a comprehensive list of all the cities) that allow backyard chickens. The reason there is not a comprehensive list is because some of the cities do not even regulate them at all with absolutely no reference about chickens or domesticated animals. In addition to that, Indiana itself has several cities that allow backyard chickens. Again, this is not a comprehensive list. This is her doing research. Again, a lot of these cities don't even regulate any of this. One thing she would say about the Shelter is that backyard chickens are not going to solve the current budgetary problems that we have supporting community services. She doesn't think adding additional policing to chickens is going to help solve the non-funding of community services. We can try to help a little bit but we should consider that a little bit further. Yates has some packets of information that she can provide to the Committee. Smith requests for her to send it via PDF and expresses that would be great.

Matt Haffner, against, states he no longer lives in Muncie and has since moved to Selma so this doesn't affect him as much as others but recalls living in Eaton before Muncie and having 60 chickens. They were his and his neighbors, as they shared a coop. It is not as clean as people think it is. You have to clean it twice a year and do something with it. Haffner looked up some other things about Rural King and if you or I was to go there and get chickens, the minimum is 6. If you order them online, it is a minimum of 25 from the Murray McMurray Hatchery and you don't know what you are getting until you get them. You could get 6 hens or 6 roosters. Who are you going to call besides the list of these people purposing they would take them? He listened Tuesday night while he was at home and the problem that he had when he lived in Eaton was that he took phone calls from Animal Shelters asking if he could take this one or that one because it is too much. There is suggestion of putting a fee or fine on people if they are not doing it correctly but you could drive around the City of Muncie right now and see stakes in the yard from people not mowing their grass and all the abandoned properties. Although, the City is probably finding and putting fees against those properties.

Chickens, he understands, may be a little smaller on the list but it is still the same thing. You got to police it. Haffner states he works 2 jobs and in both of his jobs, he does see chicken coops on a daily basis. There is well more in this City than what people want to admit to. He understands that some people are going to take care of their chickens and they are going to follow the rules as far as how many they are allowed to have but after listening to that meeting the other night, there were people saying that even if the Council does vote no, they are still going to continue to do it. What happens then? You can fine them and they will pay a fine. Haffner states if he had them in Muncie and he got fined, he would pay the fine too and would continue to keep doing it. The problem we have now is you are still overrunning this town from the Animal Shelter since they can only do so many calls for cats and dogs and they are everywhere. He just doesn't think it is a good idea. He will say that Councilman Clark did reach out to him and was commenting on what he said the other night, which was nice. He didn't really expect it and recalls Clark's points being good but it is just not a good idea right now.

Jeanette Merrill, in favor, wants to first point out that with the CDC report that came out today, they still are not recommending against backyard poultry. They are simply reminding people to wash their hands and not snuggle their chickens. On Tuesdays discussion, the primary opposition (and it seems to be the same for tonight too) to passing this ordinance seem to be the City's longstanding problem trying to control the excess dog and cat population and care for those cats and dogs that are neglected and abandoned. She thinks that maintaining a laser focus on one problem in town is not what is going to make Muncie a better community to live in. We need to not only put effort into solving the problems of this town but we need to think clearly about what we can add to our city to make it better (referring to the comments previously made by Yates). Our group of Muncie backyard chicken supporters is bi-partisan and very diverse in terms of background and ages. The reason for wanting chickens are equally as diverse. Some people are interested in local food and sustainability and lowering their economic impact. Some are concerned about emergencies, like COVID-19 early on when it was hard to find eggs and meat in the stores. They want the security of providing more for themselves. Some people are concerned about the welfare of food producing animals that are in the commercial system and they want their food to be more ethically produced. Some want to find more economic ways of providing for themselves and their families and some are concerned about equal access to food and alleviating food deserts. Some in the group did not even want to have chickens for themselves but they simply support the rights of personal liberty. Allowing backyard chickens will show that our city values all of these

things. Allowing chickens will allow our city to grow even more, based on these positive principles. This is what is going to prove our city and set it apart as being a desirable place to live that people want to move to. When discussion of the proposed chicken ordinance was done on Facebook groups, a lot of people have said over and over “if you want chickens, move to the country.” Merrill doesn’t believe it is wanted for her to move out in the country and that she is wanted right here. The urge should be for her to keep paying her Muncie property taxes, keep her kids in Muncie Community Schools, or her son singing in the choir at the Mayor’s Christmas tree lighting. The urge should be to keep her buying birthday presents from the toy stores downtown and going on dates to local restaurants, attending musical festivals at Canon Commons and spending Saturday morning at the farmer’s market. The urge should be to get people like her to move into this city, work here and raise a family here. This is what is going to help make our city a better place to live. Apparently, there is a lot of work that needs to be done to better support Muncie Animal Control and the Shelter but we should not stop all other progress in the city because of an ongoing problem that many cities around the country have yet to find a proper solution for. Urban agriculture is a movement that has become a mainstream interest. According to current environmental health reports publication over 1/3 of U.S. households (roughly 42 million) participate in home food gardening. There was a 63% increase of millennials participation in farming between 2008 and 2013. The opportunity to raise backyard chickens is part of this movement and is legal in cities all over the country. “Muncie for Chickens” is a large, bi-partisan group of respectable, contributing members and citizens of this community. This is what we want for our community. As our elected representatives, we are asking you (Council) to make it happen. Figure out how to make it work. We are asking you to approve this ordinance.

Ben George doesn’t have too much to add to what he said on Tuesday but will say that his questions continue to go around when comparing Muncie to other cities, what is their budget and what are their manpowers, basically, what are they doing to enforce their ordinance. That is primarily one of his concerns, what are we doing to do to enforce our ordinances and make sure that compliance is up to date and everyone remains safe.

Ingram states he has been doing a lot of research and rest assured, that is one thing he is trying to be sure to do which is compare city sizes and compare budgets to see what is working well in other locations.

Linda Huey, 21<sup>st</sup> and Elm St, in favor, states she will be 77 years old in less than 2 weeks and doesn't know how much longer she will be here but it sounds like fun to her to have some chickens in your backyard along with some fresh eggs, which would be good for her, as well. She lost her daughter on the 20<sup>th</sup> to cancer and she was a vegan, so she would have loved the chickens but wouldn't have eaten the eggs. Basically, she is an old-timer and this would let her have a little bit of fun. In closing, Robinson wishes her a Happy early Birthday.

Robert Giffins states he probably wont raise chickens himself (again) but he has been down that road a few times and basically, chickens are a part of our culture. He recalls his wife having chickens and a pig in a pen in the kitchen (Vietnam). He grew up, as he said before, with chickens and they had around a dozen. He was trying to remember of any problems that they had but can't recall. They grew up on the Mississinewa River with racoons, groundhogs and muskrats. His neighbor, 2 or 3 houses down, had goats. They had 2 dogs and he is unsure of how many cats. All in all, he does not recall any problems with chickens. If they jump the fence, maybe clip the wings a little bit. He tends to believe that he thinks outside the box and recalls asking his daughter about having chickens when she was little. She told him yes, but that was the 1970's. As a reality check, she stated to him that she didn't understand what the problem is. He, too, does not understand what the problem is.

Audie Barber, against, is confused because someone moved him on the list but he will speak now and then again later once he has some more questions. He first would like to ask the question to he Committee (and the Council) if this has been taken to the Animal Control Board per the Interim Local Agreement. He asks again if there is an Interlocal Agreement that this could be taken to the Animal Control Board. His next statement pertains to fiscal responsibility. He thinks about 7 of the 9 council members that was elected for this first time that ran on fiscal responsibility. That means don't spend the money if it is not budgeted for the city. So, if they pass this ordinance and there is no budget, they are going against their merit that they ran for Council on. Barber knows that the Animal Shelter does not have the budget for it since we have heard that many times. He alleges Councilman Clark told him that he is not asking the Shelter to police the chickens but somebody has to do so. Somebody that is a member of this city, that has the power to police the chickens have to police the chickens. The community was told Tuesday that this ordinance was stricter than most of the ordinances out there. That is not true. One of the cities Barber tried to contact was Fort Wayne, Indiana and it is mentioned on this list that was provided to the Committee

containing inaccurate data. It says Fort Wayne has no maximum number, roosters allowed, permit required. The city of Fort Wayne does not allow chickens in their city so this information is false. Bloomington requires neighbor's permission, new inspections for every chicken, offset from the peoples houses more than 10 feet. This ordinance for Muncie has no offsets. Offsets are so far away from the property line to where you do not build a chicken coop right next to someone else's house. Robinson asks to keep the side discussions to a minimum. Barber continues referring to Bryan, Texas being mentioned on Tuesday night. That individual said that she lived there and the laws were stricter there than this ordinance here. That is not the fact. Barber spoke with a representative from Bryan, Texas that provided him with an email on their ordinances for chickens. Their ordinance states 10 chickens or less, so that puts the 6 chickens into perspective here. Their offset is 50 feet from a residential house. In other words, you have to go out and measure and that chicken coop can not be within 50 feet of somebody else's house. If you were to check all these thousands of cities that are being talked about having these urban chickens or backyard chickens, he could just about suspect that about 80% or 90% of them require a 50-foot offset. Most city lots are only 50 feet wide. You get into these neighborhoods where the property is only 50 or 60-foot wide. So, there is no way that you can put chickens 50x75. That does not give you enough room to put chickens in a coop without being within 50-feet of somebody's house. The county ordinance requires chicken coops be 300 feet from a residence so let that sink in.

Robinson informs Barber that this is his last point. Barber then claims he has several and wants to keep going and states that Robinson said at the beginning that he could have all of his time. Robinson clarifies that he said they would allow him to finish his point. Barber disagrees and states the Minutes will reflect Robinson saying he would allow speakers to finish. Robinson states yes, but he is going to allow the speaker to finish their point. Ingram adds that Barber is already at 5 minutes. Barber states that is fine and he has several more points to make. Robinson states they will compromise and allow him to make one more point. Barber begins to explain health reasons. If there is anybody that has COPD, allergies or anything like that and can't afford air conditioning (and maybe they smoked all their life but that is beside the point, if someone has health issues), it is going to be allowed to have chicken coops 10 feet from that person's house with their windows open and the smell of chickens going in. There are kids that are under the age of 5 that can not be controlled because they see the neighbors have chickens and they want to go up and see them. A statement was made a little bit ago about neighbors having to control what they do to stay away from them. This little 5-year-old kid is going to go up and see those chickens and inspect them. That child may

have allergies and might grab a chicken or pick up a thing of chicken poop. People keep saying “facts are... facts are...” but E. coli is a problem with the chickens and this 5-year-old does not know the issues with E. coli. Same goes for older people that open their windows. Robinson states that concludes Barber’s time. Barber then states he will come back up at the end for more. Smith asks if it is possible for him to email those other points to the Committee. Barber states no, he will bring them up at the end of the meeting. Robinson informs him that people get one chance to speak and this was his turn. Barber then recalls speaking with Robinson on the phone today and claims he was informed that he would be allowed to have his time to make his points on his list. He said that he was told on the phone that after everybody speaks, write down what he wanted to talk about and that he would be allowed to come back up. He questions if Robinson remembers saying that or not. Robinson states he said he told Barber to put his name last on the list. Barber states he did and somebody moved him. Robinson states no, Barber wasn’t moved and confirms that is his signature. Barber states that is, in fact, his signature but he did not draw the arrow up to the opposing side. Robinson declares it the end of discussion and calls a 5-minute recess. RECESS.

(\*During the recess, Robinson wishes to talk with Barber. Barber exclaims for them to talk publicly, which Robinson agrees to do so. Robinson explains the Committee gave him almost 6 minutes. Barber states that is fine. Robinson continues, when they spoke earlier, Barber had said that he had some points he wanted to make and he wanted to be last on the list and Robinson told him that was fine. Barber states that is correct. Robinson clarifies that Barber put himself last on this list. Barber replies he sure did. Robinson explains that what he was going to tell Barber in private was to ask him to understand their position. Barber claims he understands their position. Robinson brings up that Barber has run for office himself and has wanted to be in these chairs, as well, so don’t they owe it to all of these people and many more to be respectful and be respectful of their time and everyone should have equal time. What makes Barber so special that he should get more time? Barber recalls at the beginning of this meeting, Robinson said he was not going to cut anyone off and he was going to let them continue, even if they had long stories. Robinson states that is not exactly what he said but he will entertain that for a moment. Robinson continues that Barber went on for almost 6 minutes. Barber goes to make a comment but Robinson cuts him off and states he is talking right now and like he earlier said, he wanted to have this conversation in private but Barber said it was fine to have it here. Robinson continues to explain that Barber talked for nearly 6 minutes, what Robinson said at the beginning of the meeting was that he was going to let people finish their point. Robinson adds to

that that Barber can not come up here with 100 points and expect him to let Barber finish all of them. What Robinson said was he was going to do was let the speakers finish what they are saying and he will allow the speaker to finish making their point. When Barber is at point #7, finishes that and it is beyond the 3 minutes, that is it. Barber states it was said by Robinson that as long as people was not talking about the same issues, over and over again. Anyhow, chickens are not domesticated animals. Robinson then calls a 5-minute recess.

After the recess, Barber is allowed to have 1 minute. Barber thanks the Committee and states this won't take long. Barber states if the council members that vote to pass this and it does as such, he thinks they need to be the ones called out at 3:00 AM to police these chickens instead of the Animal Shelter. Chickens are not domesticated animals. Cats and dogs are domesticated animals. If it gets down to 20° outside, you are forced to bring your dogs and cats inside. If it gets below 20°, are you going to be forced to bring your chickens inside (in a house)? His last point is that Dan Ridenour, Mayor of Muncie told Barber back in February that if this passes, he will veto it.

Shelly Fruitt, in favor, explains we have discussed and addressed concerns including Avian flu, Histoplasmosis, smells, Salmonella, noise, attracting additional wildlife, property values dropping, chickens at-large, whether or not chickens belong in the country or the city and Animal Shelter concerns. We have presented facts and proof to dispel the misinformation with reliable sources such as the CDC, the National Library of Medicine, a local doctor along with years of research of existing cities that allow chickens. Based on all the information, Animal Shelter concerns seem to be the biggest issue. There was a short discussion with Ethan Browning, Director of the Muncie Animal Shelter, to discuss his concerns the other day after the meeting on Tuesday. Shelly is confident there are solutions to help these pre-existing problems. The Animal Shelter clearly has been struggling for quite some time. Some changes that she feels need to be considered include enforcing the paying of fines through a collection service, deputizing some Animal Control officers so they can better do their job safely, allocating a percent of the fines directly to the MACS (instead of all monies going directly into the General Fund), an incentive program for getting your pet spayed or neutered, possibly pass an ordinance that a person must get their cat or dog spayed or neutered unless they are a licensed breeder or show the animals. Another idea that they came up with was adding \$1 to every vet visit that will go directly to MACS and not the General Fund. There was also discussion of fundraisers, including a Muncie Coop D'Tour and a volunteer Chicken

Education Committee (basically, if a call comes into the Shelter, they then call the Committee and the Committee makes first contact with the home in question and if any problems exist, the Committee would help to solve the issue). The idea is that most people would welcome ideas to help them keep their chickens. If they don't comply then they don't get to keep their chickens. The possible Committee would then pull out 20 homes willing to re-home chickens that have been picked up. These are just a few ideas to show that we are all helping with solutions. These changes should have no bearing on our rights to have chickens. The bottom line is that the Animal Shelter problems exist now and they will still exist with or without this chicken ordinance. They are not our problems to fix. We want chickens. We have a solution for any homeless chickens. We are animal lovers and have a passion for all animals and want to help where we can. However, in the United States, no matter where you live, you have basic rights that allow you to enjoy your own property but that means your neighbors have the same rights to enjoy their property. If you are unduly bothered by your neighbors where their activities do not affect property values, do not produce foul odors, do not produce loud noise, do not create excess waste or present other actual problems then we should have the right to life, liberty, and the pursuit of happiness. The sensible thing would be for everyone to live and stop worrying so much about what is happening on the other side of the fence. Shelly is begging the Council to vote based on facts and statistics, not on personal feelings or siding with those that are biased based on ignorance, myths or misinformation.

Russ (Donald) Fruitt wants to begin with a statement about what Barber had said about the Mayor. Robinson interjects and prefers him to not address anyone directly and instead address the Council (and to what has been heard before). Donald states he will address the Council. Knowing that the problems that the City has had in administration's past and the clean-up that our town has been going through with corruption, he would certainly hope that Barber is incorrect. Robinson, again, interjects and apologizes but states they cannot keep calling people's names and to please respond just to the point. Donald states he sincerely hopes that any government official would take due consideration to the constituents of what they want and the facts that are presented before making any decision on this ordinance. Second of all, someone had mentioned earlier about the possibility of having fees or licensing. To be equitable and fair, that should be drawn across the board, as well. If we are going to have fees on chickens then we need to have fees and inspections for all dogs and cats or all pets within the city limits. That would mean a couple things. The first thing, fees would definitely offset the shortfalls that the Animal Shelter is having right now but that would

also mean a lot more manpower available to go out and police every house in the City of Muncie once a year to see if they have pets and if they are being taken care of properly (shots up to date, etc.). That would be fair. As far as the talk on domesticated animals verses non-domesticated animals, a couple of pets that came to his mind that he knows the City of Muncie allows consist of spiders and snakes. To his knowledge, he does not believe those are considered domesticated animals so that point is null and void. This is about freedom to do what you want for your family without hurting other people within the community. This is a community building experience, not a community tear down experience. We need to do what is right for the community. We need to be able to invite others (as others have said) into the community, knowing that this is a community that prospers, will listen, will react positively to new ideas and grow. Muncie hasn't grown in a long time. He thinks this would be a good step in our growing.

Kimberly Ferguson, N. Petty, in favor, believes this is the third time she has spoken on the chicken ordinance. She wishes to address a couple of issues. First, the article that was provided to the Committee referencing the 85 Salmonella cases; the U.S. actually doesn't have 85 Salmonella cases, they have 420 Salmonella cases related to chickens. So, why would she bring that up because that seems to hurt her case. Well, the U.S. (according to the CDC) has 125 million Salmonella cases. So, 400 into 1.35 million Salmonella cases is 0.03%. Therefore, 99.97% of all Salmonella cases are not chicken related. That is the very definition of fearmongering, to sit up here... Ingram stops her and clarifies that she is saying 99.97% are not related to "backyard" chickens or chickens all together. Ferguson confirms backyard chickens, if you eat raw chicken in your household, that is none of her business. Ingram states okay he was just wanting to clarify that. Ferguson states she is talking about backyard chickens as it relates to poultry. Again, 99.97% of Salmonella cases in this country are not related to chickens, so holding up an article in fear when there are 85 cases when there are really 420, is a minute amount of Salmonella cases. Let's hold that up to the U.S. population, which has 350 million people. That is 0.00014% of the population. She doesn't even know of something that is that small of a percentage. It is really not a risk. The other thing she actually agrees on the fiscal responsibility issue. This Council was voted in for fiscal responsibility and she thinks we should be fiscally responsible when it comes to funding our Animal Shelter. Ferguson believes it is aberrant that we don't fund them at appropriate levels. She is now going to read an email that all of the Committee were copied on that she sent to Director Ethan Browning. She sent it fairly late in the day so she would not be surprised if they or Browning have not had a chance to read it yet. This is in response to an email that Browning had sent regarding their issues. "Below I

would like to address a few of the suppositions you have proposed as I believe we can find a palatable solution for your team and for the City. We currently do not believe that 10% of the population would participate, when you look at data from other cities. However, I will use that number that Mr. Browning proposed and then looked at Indianapolis's data for comparison. If 10% of families in Muncie participate in having a chicken and coop, that would be about 2,700 families or chicken coops in our city." Which would be an absurd amount and she doesn't think that will happen. "If we have \$100 permit fee, (and she chose \$100 out of the blue, because it is an easy math number) that would be \$270,000 for Animal Control in revenue just from permits alone. Let's suppose the worst-case scenario of having the exact same amount of bird intakes as Indianapolis did in 2019. Indianapolis had 298 bird intakes in 2019, according to their publicly available data (and she actually linked that in the e-mail)." Again, she thinks it would be absurd to have as many bird intakes as Indianapolis as that is a population of 867,000 people and Muncie has about 30,000. Robinson corrects her and states there are actually 67,000 residents in Muncie. Ferguson confirms and states still, 67,000 to 867,000 is quite the difference. She continues reading her email, "so 298 bird intakes in Indianapolis is over \$900 per bird, just in permits fees per intake. I believe that we can all assume that we might have maybe half the number of intakes than Indianapolis, so we are only realistically looking at \$1,800 per bird per intake in just permit fees, if the statistics hold. This seems more than reasonable funding for chickens." In fact, she believes a lot of the funding's would go to other things and not chickens. "This seems like more reasonable funding for an ACO to go out on an intake call and feed the birds until they can be relocated to a farm with something additional, similar to a sworn list. I would like to also note that the IACA states data includes all birds on the 298 intakes." So, that is referencing parrots and other types of birds too. She adds that she was unable to sort the data so wanted to be sure to mention that it consists of other birds other than just chickens. These numbers are skewed high. What she wants to say in closing is that she understands that the Shelter is overwhelmed, exhausted and underfunded. She thinks that we can solve that problem and allow chickens. She does not think the Council should pass the ordinance, though, without figuring out a way to also help Animal Control. But, she doesn't think the chicken supporters should be punished for cats and dogs in the city, either. Her last note she wishes to express that we are a Democratic Republic (although, a lot of people think we are a Democracy but we are not). When a majority of citizens want something that does not violate state or federal law, we need to figure it out. Our elected officials need to figure it out and our Mayor needs to figure it out.

Mari Streetman, in favor, along with her daughter Penny, states she lives in District 4 and they are pro-chickens. Her small daughter wanted to come up with her tonight and she holds her up to the microphone for her to say her name and that she is pro-chickens too.

Alex Streetman, in favor, Muncie, states he is for chickens, as well. He has heard a lot of talk about the word 'domesticated' tonight and thinks everyone should look at the terminology of that word and it is about human use so please keep that in mind.

Jordanne Newman, in favor, Muncie, states she is pro-chicken and that was all she planned to say but there has been talk of other issues. She refers to Robinson asking for some numbers and states she is a numbers person too, so she really appreciates that. She actually went to the CDC.gov website and they are doing an investigation report on the backyard chickens/Salmonella thing. Out of all of those people, 226 have been interviewed and roughly 179 (so 79%) of those reported direct contact with chickens. So, it is not like an airborne thing that is spreading wildly. Again, that is on the CDC.gov website. Also, she thanks the Committee for their time and the Animal Shelter representatives that are present, as she explains that she loves what they do out there and she actually got her pet cat from the Shelter. The buying of chickens... Please don't order your chickens online and don't go to Tractor Supply Co. Go to Bradley Farms in Middletown, Indiana which is a chicken expert (#3 in the state of Indiana) and then you are buying local. Newman explains that she also works for the general public of Muncie and she understands that the general public of Muncie doesn't always do what they are told. She has had hand to hand experience with them for the last 13 years. She does understand that there are going to be some bad apples and people aren't going to do what they need to do but she also feels that that should not punish the citizens of Muncie that want this for their children. She states she has 4 children and wants them to learn how to nurture and care for an animal and give to an animal that gives back to you. Robinson thanks her for the numbers and learned today just how much a chicken poops in a week's time and a year's time. He never thought that would be the most interesting information he learned on Council within the first 6 months. Ingram makes the comment that he is interested in the other logistics.

Lydia Hatfield, in favor, is a registered dietician that lives and works here in Muncie. She and her husband have lived here for 2 years. One of the goals of her profession as a dietician is to improve the health and wellness of her community. When

she was a child, she recalls being very involved with the production and preparation of her family's food and she counts that as the main source of her interest in food and nutrition. She has a slightly different view on this apart from some people because she is mainly interested in the nutritional aspects of this. She doesn't consider nutrition to only be food related but considers it to be whole body related. It might surprise those that hear that at her job, she has encountered both children and adults who did not know that eggs that you get at the grocery store come from chickens. That lettuce that you buy at the grocery store and eat in a salad, comes from the ground. That meat you eat on your plate, comes from an animal. It's amazing. The lack of connection with our food has led to a decreased consumption of fruits, vegetables and lean protein and has increased consumption of processed foods. This proposed ordinance is an opportunity for you to have an influence on increasing the health of our community. As a registered dietician, she is trained to rely on evidence based on information for all of her opinions and views. She has 2 studies that she would like to share. One study in the Journal of Nutritional Health and Food Science showed that subjects who were consistently involved in producing their own food showed a decrease in prevalence of smoking, decreased body mass index, increase in daily physical activity and an increase in overall perception of quality of life. A review in the Journal of Community Health in Canada sided that elevated nutrient levels are free range eggs, a decrease in carbon footprint and educational opportunities for both children and adults as key benefits of urban chickens. Hatfield believes that this proposed ordinance would allow chickens to be raised in the safe, humane and in an unobtrusive manner and has the potential to increase neighbor to neighbor action. Urban chickens have the potential to greatly benefit the current and future citizens of Muncie.

Jason Donati, N. Vine St, in favor, just wants to say thank you for allowing people to speak and recalls watching the meeting on Tuesday. He thinks it is great to see so many people come out and share their thoughts and concerns. He is pro chicken and supports City Council in the amending of this ordinance. He wants to touch on a few points because a lot of other things have already been covered. Overall, he wants to talk about addressing food insecurity and urban agriculture, in general. He has been working in urban agriculture for well over 15 years, in Buffalo and Muncie, transforming vacant lots and doing beautification on vacant lots, growing food, community gardening and all that. He has always done it organically and thinks that is something that needs to be discussed because having backyard poultry is a big part of a holistic method of organic gardening. It may have been brought up a few times but something to keep in mind is that if you have a few chickens back there, they will help with pest control.

Some people like to put chemicals on their garden to get rid of the pests or other certain issues that they have but chickens actually help with organic pest control and that is really important to him and his family because he doesn't want to put chemicals on his food or use chemicals around his children. He has 4 children and takes his duty as a parent very seriously and wants to make sure to do very tangible, hands on, educational things with his children. He also wants to reduce his carbon footprint and reduce his waste. This means he is a big composter and has worm-bins and things like that and having backyard chickens would help with that whole process, as far as getting rid of his food scraps, giving the chickens different garden scrap (weeds). That would help add to his compost pile and would help his organic gardening that he takes very seriously. This isn't a new discussion in Muncie and recalls maybe 10 years ago there being an urban food symposium where there was a panel discussion about it. They just had not found a council member that was willing to sponsor it so he does appreciate and wants to thank Councilman Aaron Clark for sponsoring it. Donati thinks it brings that discussion to the table and he thinks that it is important. There are also things happening as far as the Muncie Food Pub Partnership, the Delaware County Food Council, a huge partnership between Ball State and IUBMH, the Healthy Community Lines Purdue Extension; these things are all experts that we need to rely on, talk to and make sure that we are communicating with and can get their thoughts on how we can better address food insecurity in our community. He does have one suggestion as they continue to talk about the ordinance and maybe a suggestion for a possible amendment is (and he thinks it is extremely important) that schools have the opportunity to raise chickens, if they are able to. That is a huge part of education. He has toured many different cities in working in urban agriculture for many years and has seen many different schools that actually have urban farming programs where kids can learn a lot about chicken biology and all those types of things. A lot of our schools can grow their own food and do their own edible school yards so Donati thinks that the Council may want to consider allowing schools to be a part of that and to have a small flock for educational purposes. He would also like for the Council to consider adding nursing homes to that because there is some good information there about how chicken keeping is therapeutic. There is a lot of good information out there related to that.

Brian Preston, W. 13th St, states he is a member of the Delaware County Food Council and they have been meeting for a year or 2 now. He is not representing them at all but just wanted to mention that and say that he has been part of the local food and gardening community (what Donati had just been talking about) for over 10 years now and has kept chickens in his backyard before. He just wanted to dive into

some numbers and relevant findings that he has come across that he doesn't believe has been mentioned tonight. There was a university study a few years ago that studied Colorado, because it's the only state that requires municipal Animal Shelters to collect and share data, that found that 61 of 78 Colorado municipalities allowed backyard chickens. Most shelters had not experienced an increase in chicken intake and reported that people were interested in taking stray chickens. Earlier speaker, Kim Ferguson, touched on a few things about Indianapolis. Indianapolis has 12 times the population of Muncie. Their Animal Control keeps track of those bird calls and like what was mentioned, 298 stray birds had to be controlled by the Indianapolis Shelter. Proportionally, by Muncie's population number and households, that would amount to about 25 birds that would need to be homed during the course of a year in Muncie. Of course, that is making a lot of assumptions. For example, Preston believes the adoption of chickens as backyard chickens in Muncie would probably be less here than it would be in Indianapolis. In Austin, Texas, which is more than 13 times the population of Muncie, their Animal Shelter had 111 birds in that needed rehomed. It is a pretty small number for a place that is 13 times larger. In Bloomington a few years ago, (and there may be other people that know more current numbers) they issued 49 permits for backyard chickens. Bloomington is maybe around the same size as Muncie or maybe a little bit bigger. He would seriously doubt that more than 50, 60 or 70 households would run out and get chickens right away, after this ordinance passes. That calls into question Director Browning's assumptions that 10% of households (or 2,700 households) would get chickens in Muncie. Anything based on that assumption should be looked at a little more closely. Preston just wanted to say that if you are sitting there picturing your neighbor (and maybe you don't really know or trust your neighbor or have had bad experiences with them) and you are thinking they are going to get too many chickens and annoy you, you just need to sit with that thought and really think about that. Are the people of all the other cities that we have been talking about like Indianapolis, Ann Arbor, Bloomington and Evansville, etc. really smarter than the people of Muncie? He doesn't think so. Are people in Muncie uniquely stupid and bad neighbors? He doesn't quite think so and if you do think that is true then he is just unsure.

Avery Clark, W. Petty Rd, Muncie, in favor, states her grandparents have had chickens for almost her entire life, fifteen years to be exact. The chickens they took care of were more like friends than creatures that just gave them eggs. The family had a little call that they created to get their attention whenever they were near the garden or playing in the woods. She remembers one chicken in particular, Maple, that would

immediately spring out of the forest and jump into her arms every time she called for her. She was the sweetest thing. She got to learn the mannerisms of their chickens, for instance, what different types of weeds or grasses they liked to eat, depending on which chicken it was from their varying personalities. It was fun to spectate their reactions with people who the chickens weren't familiar with when they would try to pet them and it was actually quite silly to see them cackle at her grandparents' cats who watched them from afar. Avery was also able to learn the virtues like duty responsibility, how to take care of pets and how sometimes teamwork really makes the dreamwork. She learned as a little girl the faults that happen from not keeping the chicken coop cleanly, not collecting their eggs, not closing up the chicken coop door and she won't make those same mistakes again. She thinks if people make one of those mistakes once, they most likely won't do it a second time. She would love to have chickens in their backyard and would love for her 5-year-old brother to experience the joy of having and taking care of chickens like she did, now that he can start helping take care of them. She would love to take care of them too at their own home in the city, since her grandparents have stopped having them out in the country. Like many others who have spoken today, she wants to keep an eye on the chickens they will raise and know what is going into their bodies that gives them their eggs. She wants the chickens they raise to live happily for the rest of their chicken lifetime. She firmly believes that the ordinance should pass and give kids, maybe even adults, in this city the opportunity to learn and grow through raising them. It will teach some of them responsibility, like having chickens has taught her. It might even teach them that a friend doesn't have to be human, it can be a chicken.

Lily Clark, W. Petty Rd, Muncie, in favor, thanks the Committee for their time. Why she thinks we should have chickens in the city is the joy of waking up in the morning, feeding them, getting them water and collecting their eggs. She thinks it would make city life better, kind of like having a piece of farm life. Chickens are sweet and loving. When they are babies, they are so fluffy and soft. As they get older, they get to know you better and become like playful kittens. She knows other kids her age would love to have chickens too. Lily hopes the Council can consider this ordinance for the kids of Muncie.

Councilman Aaron Clark, W. Petty Rd. really appreciates the time of the Committee and thanks them for the opportunity to speak. He believes wholeheartedly in this ordinance and that there are benefits to the city in passing this. Its language is simple, to allow citizens within the city limits to have a flock of hens. There is no

mention of fees, permits or policing. Councilman Clark thinks when Director Browning came up Tuesday night and was (kind of) cross examined, the optics and the narrative shifted quite a bit from this simple amendment. He thinks it went to an extreme of putting burden on the Animal Shelter, a bit of fear mongering, some hypotheticals, and a lot of 'what if's.' He thinks real data is the answer that is needed but it is important for any debate to have real data. He recalls going to Muncie's website for the Animal Shelter and unfortunately, the real data is not there. Other cities around are up to date with monthly numbers, annual numbers for calls for dogs and cats and for birds (livestock), as well. Real quickly, he explains he did a search for Raleigh, North Carolina (as it was mentioned on Tuesday), and Wake Forest County is the county that oversees the Animal Control. They have a population in that county of 1 million people. There are no fees, no permits, no permission needed. In 2016, 2017 and 2018 respectively, there were 242, 256 and 246 calls for birds in that county. Again, that is out of 1.1 million residents. Austin, Texas that was also mentioned earlier, had data that is readily available. Clark actually just googled "City of Austin Animal Shelter Data." Population there is 967,000 and they are one of the fastest growing metropolitan areas in the United States. In fact, when you get off at the airport there, there is a beautiful billboard that says "Welcome to Austin, please don't stay." They are growing by leaps and bounds. In fact, those that are familiar with the Tesla Corp. and Elon Musk will probably see an announcement in a few months of him moving his corporate headquarters there and bringing in another 30,000 jobs to that city. Again, no fees, no permits, no permission necessary. Another interesting thing and he and Barbour spoke about this earlier in their conversation, Austin actually allows (which Clark thought was funny) livestock under 200 lbs in the city. So, you can have a cow or a horse in Austin, Texas. In 2018, there were 111 bird calls. Clark would then like to say if Director Browning has washed his hands of this before considering it and having a real conversation with the supporters, he would ask him to reconsider. "Urban Chicken Muncie" is willing to work with education and willing to work to empower animal care and not burden it. Clark believes that if we can sit down and talk and come up with an 'if needed' fee structure for all animals across the board then maybe that's what we need to parlay this into. But, he thinks that just completely ending it, walking away and saying that they don't want the responsibility – but as a counselor knowing that they continually see the budget increase year-over-year and that money has increased, he believes that responsibility can be added too, especially if the numbers are truthful and refers to cities that are 10 times the population of Muncie that do not have this issue and it works well for them. These are cities that are growing, cities that are progressive and these are cities that are serious about the health and wellness of their people. Clark

states he is open for any questions if any members of the Committee have any for him. He once again thanks them for their time and effort. He states he looks forward to even sitting down with and discussing some amendments, thoughts or any ideas that they have to get this across the finish line for the citizens of Muncie.

Councilman Robinson thanks Clark and reminds everyone that he is the authoring Council member and wants to open it up to (really) a frank conversation on issues that they have discovered. Robinson announces that Clark was the last speaker so now that they have held 2 of these Land and Traffic Committee Meetings. He recalls the two having conversations and Ferguson also being involved in the process but the ordinance isn't perfect. Robinson thinks there is some flexibility there so he would love to open it up if the Committee is okay to maybe express any changes, concerns and to just talk through that if they can.

Clark states one thing he appreciates (as far as their understanding goes) is how legislation works. They can introduce a piece but it can always be tweaked, amended and adjusted to work for all parties. Ingram states absolutely. Clark thinks that is key to have that in mind. Smith refers to Clark mentioning amendments and asks what his thoughts are. Clark replies he is absolutely open to them. Smith, again, asks what Clark's thoughts are. Clark states his thoughts personally are less restrictions, if possible. That is his personal opinion. He is conservative and believes in less government and less government reach and oversight. He thinks for a particular animal amendment like this, it is not like we are releasing pit vipers into the city, we are talking about female chickens. Robinson jokingly adds that then we could get mongooses, to go after them. As a sponsoring councilperson, if Clark would have not had the experience with his family growing up with chickens and being chicken owners, he may have shied away from even trying to accomplish this. Smith confirms that Clark's thoughts are to make the amendments that would be less restrictive than this. Clark states no, his personal view is that. Clark explains that when they wrote the ordinance, he had to take it to the perspective of what would work for our community and that's the perspective that they (Merrill and Ferguson) took in realizing that this had some issues or some struggles at first and in the past. Clark believes that as we look at our city, the diversity of it from top to bottom, people and thoughts on these urban chickens are changing. So, a lot of times it takes an extra effort to get something like this passed so to the people that were working on this in the years before, Clark applauds and thanks them because that set the foundation and a standard that they could later follow.

Robinson states he and Clark have gotten to know one another quite a bit over the last year-and-a-half and he thinks Clark understands that he is a firm believer

when there's a will there's a way. If there is something that an overwhelming majority want, if there's something that people feel passionate about than there's no reason why 2 sides can't come together to find common ground and find a solution to move forward. Robinson sees some areas in this that might address some of the concerns that citizens have had. Particularly and he would like to first talk about the funding question. There is some debate after finding out today that this ordinance was Sent to Committee, not Introduced by the Council. So, there is still an opportunity to tweak this and Introduce it at the July 6th meeting. Robinson states Clark can make any changes to this as he wants. Ingram adds to that by having it amended. Clark states he made notes along the way and refers to Stilts talking about possible fees for registrations and giving some language to violations and that way, if it does fall under the Animal Shelter, that would give them some teeth when they go into trying to enforce those codes and also follow up on the on the funding for that. Clark thinks that having Director Browning come up early on was detrimental to their side of it and he felt for a minute that it became biased. To have Browning start as if he had been in the courtroom for 3 days previous, he thinks it really opens up all the public to realize that their program is underfunded and it is understaffed. Clark recalls meeting with Browning in early March, pre COVID-19 and walking the halls and seeing what went on there. He knows that the workers there are stressed and they're burdened with that. So, to see that continuing 3 months, 6 months later, doesn't sit well with him. Therefore, he thinks as a counselor, their responsibility is to work with their departments to not only ensure that, as a department, that they're doing the best with taxpayer dollars but also providing a service that is fair to everyone, whether you are a participant as a pet owner or not. Clark thinks that from their side, they need to look at how they are funding it, why are there certain monies that aren't going back into non-reverting funds for Director Browning's office? So, if they can be an extra voice for Browning, Clark is all for that. He thinks having communication and actually sitting down and talking will go far instead of being divided right from the beginning on this. Clark thinks the points that those who opposed have kind of easily been countered, so we're at a point now where we just need to work together to find out what's best from a monetary standpoint.

Robinson explains he had an email this afternoon that brought up a concern that he has not yet heard anyone mention and it's a legitimate concern when it comes to slaughtering the animals. Robinson states he got it maybe an hour before he got here this evening so he would love to see what our current ordinances states because many people have made the case that these chickens are in many cases considered pets, even though they will end up as food. Robinson would encourage Clark to add something about the slaughter in the ordinance and refer to these chickens

as a food source, first and foremost because he wouldn't want people running "afoul" of that. Clark believes that goes back to the education part of it, noting that there are USDA approved slaughterhouses nearby so once a chicken is at the end of life, that's a decision that those families will make to either keep that meat or to donate it to those that may need it. It is a very nominal fee (believing it to be \$4 the last time he checked) to have a chicken processed.

Councilman Ingram refers to when Clark was doing the research on the larger communities with the chickens and asks if he happened to research their budgets. Clark states no, he did not because a lot of times, the budgets fall either under the county government or city government and it may be a mix. As it may be known with a lot of ASCPA's, there's a lot of volunteer work involved. Some Animal Shelters aren't even under the budgets of cities and it's just fundraising, volunteer work and fees from applications, registrations and permits. Ingram just wants to say that he is not against the chicken ordinance but what he is against is overtaxing our Animal Shelter who is obviously working very hard to with the little means they do have. Clark understands that. Ingram continues and recalls speaking with Streetman earlier and states if it does pass, he is going to go out and get some chickens for himself. Clark thinks that is wonderful. Ingram, again, states he is not against chickens. Clark states again, he doesn't think the burden is going to be there based on how other cities that are mature in their ordinance and the numbers don't lie. Real data speaks volumes. Ingram agrees and adds to that, we keep hearing about the issues with cats and dogs and we do actually have issues with cats and dogs. He just wanted people to understand that we cannot really police those cats and dogs, either, and putting forth a chicken ordinance without adding funding to the Animal Shelter would definitely overburden that. Ingram just wants people to know that they have been talking about that and working on dog and cat ordinances, as well. With that money, the fines and whatever is decided, going back to the Animal Shelter and he thinks Clark brought up a really good point with that. Ingram continues that all funds that are recovered from that should go back to the Shelter and that is something that they, as a Council, should work on together to rectify. He thanks Clark for the dedication and hard work he put into this ordinance. Ingram then thanks everyone in attendance, whether for or against, and for getting involved in the community issues and the things they are passionate about. He thinks if the City had more people who would invest their time and energy as much as these people have, there is nothing we couldn't accomplish as a community together.

Robinson has one last comment and states usually, when an ordinance is passed at second reading and as soon as the Mayor's signature is affixed to that ordinance, the ordinance is then enacted. He then asks what Clark's thoughts are in having some sort of

delay to having that ordinance begin. Robinson's worry is if, in fact, there will be a "run" on chickens, would Clark be willing to hold off for a few months before the ordinance was enacted to allow for any adjustments to be made. He says that because they all, as council members, know that it is coming up on budget season. Robinson thinks that may be an appropriate time to do their best guess in their 'crystal ball' and maybe be able to assess some more dollars, in lieu of this ordinance, to the Shelter. Clark responds that is a good idea and thinks it really depends on how they structure the ordinance and if it is no fee, no permission, no permit then there is no need to even look at that. Clark adds that he doesn't believe there is going to be a rush to go out and buy coops and chickens. There may only be 50 people or so to actually do it. Adding to that, Ferguson steps up and states if they chose a permit, they could titrate the permits. That would mean 10 per month, every month for the next year to make sure they are not over permitting. Robinson states yes because for as much as they can be hopeful that overwhelmingly people are going to take care of the animals. As much as they can be hopeful that the Animal Shelter will not be called on to address chickens, if we are all being realistic, we can assume that the Shelter is going to be called if there is a problem (because who else can we call except the Animal Shelter to deal with an animal issue). The last thing Robinson wants to do is spring this on them. If this gets Introduced in July and the whole Council votes in favor of it, it then gets enacted in August, Robinson doesn't want the next day for people to go out and start getting chickens. Although, he has talked to many people that are already looking at coops and refers to the Urban Chicken group. More power to those people but Robinson thinks if this ordinance passes then we need to be mindful of not just the finances of the budget but also mindful of the workload. Clark agrees and thinks it totally depends on how they structure the ordinance.

Councilman Smith would just like to thank each and everyone for their input, data, personal experiences and for participating and helping them with this decision. The Council takes it very seriously and it is not an easy decision to make. He has gotten more emails, phone messages, phone conversations, text messages, stops at Walmart, and even people interrupting his dinner at Mulligans, Crestview Golf Course, on the Muncie south side (but he doesn't mind). But really, Smith really appreciates the input and the information that has been provided to them. Again, they take it very seriously and he applauds each and everyone for their participation in helping the Council with this matter.

Ethan Browning, Animal Shelter Director, is given 3 minutes out of respect for him and his department. Robinson states he wants to give him the fair opportunity to

respond but what he doesn't want to do is dive into another debate as points have been clearly made throughout Tuesday night, and tonight as well. Robinson then reminds him to address the Council and not any individual in particular.

Browning states he just wanted to clarify that in this proposed ordinance, Sec. 90.31 has clear requirements and standards for these chickens. He can not see how they wouldn't have to police them because there are requirements here. He refers to Sec. 90.30 and states they have to enforce that for other animals in the city. Robinson appreciates Browning's concerns and thinks it would be best (because what they are down to now is the ordinance planning to be Introduced in July) for him and Councilman Clark to sit down and work through some of these issues. If they can't and there are issues where there are differences, he encourages Browning to bring that to the entire Council in July. Robinson explains he wants to end this on a positive note taking all information into account and he thinks Browning has done a very good job addressing his concerns for the Shelter. We all need to remember that is Browning's job, to maintain the Shelter and to be as effective as he can be when it comes to ordinances and only thinking of the Shelter. Robinson hates to cut Browning off but that is just something he would prefer him and Clark talk through. Robinson explains there is another week and a half until the July 6<sup>th</sup> meeting when this ordinance will be Introduced so he can add those things. Again, when there is a will, there is a way. Robinson hopes that we can all compromise to move this forward so that the Shelter can be happy, as well as everyone else. Ingram thanks Browning for being here, as well.

Audie Barber has one quick questions and asks when Robinson believe they will have a recommendation for the entire Council. Robinson states the fact that this ordinance has not been Introduced, he won't be because the Introduction of the ordinance in July may look different. The Committee will certainly report back their findings and each council member will get the Minutes from the meetings (and recalls Tuesday, there being 8/9 members present and tonight, the 9<sup>th</sup> member of the Council was in attendance). They have made their recommendations to Councilman Clark based on this fact finding. Robinson adds this is just gathering facts and taking public input. He does not feel it is the responsibility of this Committee, or any Committee, to tell the Council how to vote on an ordinance that they have not all formally seen and Introduced. Barber claims it was Introduced but Tabled. Robinson replies it was not Tabled, it was Sent to Committee.

**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.



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



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Belinda Munson, Muncie City Clerk of  
the Muncie Common Council



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Brad Polk, President of the  
Muncie Common Council