

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING JUNE 17, 2013**

CALL TO ORDER: 7:30 P.M.

President Kevin Corcoran: Ladies and gentlemen, welcome to the North Ridgeville City Council meeting where we discuss the legislative issues facing our City on the first and third Monday of every month. This meeting has laws, rules and procedures that we must follow. As Council President, it is my task to make sure that we are following those laws, rules and procedures. Please be advised that our rules state that our meeting ends at 10:00 P.M. Please rise for the invocation and the Pledge of Allegiance.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by all.

ROLL CALL:

Present were Council members Dennis Boose, Robert Olesen, Roseanne Johnson, Bernadine Butkowski and President Kevin Corcoran.

Councilman Jaenke and Councilwoman Buescher were excused.

Also present was Mayor G. David Gillock, Safety-Service Director Jeffry Armbruster, Assistant Law Director Toni Morgan, Engineer Scott Wangler, Auditor Chris Costin, Clerk of Council George Smith and Assistant Clerk of Council Tara L. Peet.

MINUTES - Corrections (if any) and Approval:

President Corcoran: You have before you the regular Council meeting minutes held June 3, 2013. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Planning Commission meeting minutes of 06.11.2013.

LOBBY:

President Corcoran: That brings us to the lobby session of our meeting. At our lobby session, we allow citizens to voice their concerns. In order to have an efficient and effective meeting, Council and the Administration do not engage in conversation or debate. Please do not misunderstand our silence as a lack of concern. We understand the issues brought before us are emotional. Our Council members and Administration are open to discussion outside the confines of this meeting. Throughout this lobby session we expect that you will remain civil and we do not tolerate personal attacks. If you do not follow these rules you will be asked to leave. We allow each speaker three minutes to speak on the topic of their choice. When you approach the podium, please state your name and address for the record of our meeting. These rules have been in place for decades and they will be adhered to strictly. We understand that many people would like to address us tonight regarding the recent actions of our Humane Officer; however, we do have other business to conduct. We will have lobby session open until 9:00 P.M., if necessary, and if there are others that would like to speak, we will suspend lobby, conduct our regular business and then reconvene lobby. With that being said, the lobby is open. First up, we have Chief Freeman.

Police Chief Michael Freeman – Let me introduce myself: I am Chief Freeman. I am the North Ridgeville Police Chief here. I respect your emotions, feelings and opinions, but unfortunately,

sometimes being the Chief of Police; I need to deal with law, facts, policy and procedure. With that being said, we will assess our current animal policies and make changes where they are needed. I urge you to give me time. This is going to take time. I am not the type of guy who is just going to do something to make the cameras go away. This policy we are going to look at is going to involve education, resources, and alternative means of dealing with this ever growing problem. The worst thing I can do to the citizens of North Ridgeville is to ignore the problem because the problem is not going to go away by itself. Other issues I would like to address in reference to this issue: I want to be very clear, there were no children present outside the home when this occurred. The children were inside the residence. The safety is paramount in everything law enforcement does. As the Chief of Police, I am very confident in those that serve under me. How can I expect my officers to go into schools and homes and protect your lives if I don't have the confidence for them to do what they need to do in a backyard of a residence? Lastly, we understand that this is a very sensitive issue. A lot of law enforcement issues are. Whether it is reporting to a loved one that someone died in a motor vehicle; whether it is arresting somebody that brings embarrassment to them outside of the normal scope of arrest – we understand how important it is to be sensitive when we do our duty. We are going to use this as a reminder that we need to be more sensitive and cognitive of the fact that this is not what people deal with on a daily basis, but we do. Sometimes we are quick to do a duty because we are used to that duty. At the same time, we need to keep the complainant in mind when we do our duty. With that being said, thank you.

President Corcoran: Alright, first we have Barbara Fox followed by William Reinhart.

Barbara Fox, 5076 N. Barton, North Ridgeville, OH – expressed her feelings that the actions of Mr. Accorti were wrong.

William Reinhart, 5977 Wallace Blvd., North Ridgeville, OH – stated he has property where several kittens and cats live and expressed he is in favor of getting rid of the feral cats.

(Booing from audience)

President Corcoran: Excuse me, but if you do not keep quiet we will have to ask you to leave. We have rules, like I mentioned. Please be respectful. We have Laura Smith followed by Shellie Kearsey.

Laura Smith, 6013 Mills Creek Lane, North Ridgeville, OH – stated she is a foster mom and believes cats should be kept inside. Mrs. Smith expressed her feelings that Mr. Accorti should be fired.

Shellie Kearsey, 37886 Stoney Lake Dr., North Ridgeville, OH – stated she will give a list of questions to Council for response. Ms. Kearsey expressed her dislike for the way the kitty situation was handled.

President Corcoran: Ginger Vasilakis and Sandra Barnes will be next after her.

Ginger Vasilakis, 5548 Ridgeview Blvd., North Ridgeville, OH – thanked Council for allowing her to speak. Ms. Vasilakis stated she is ashamed to live in the City due to this situation and expressed her dislike for how the situation was handled.

Sandra Barnes, 33687 Lake Rd., Avon Lake, OH – asked how anyone knows the kittens were feral or stray. Ms. Barnes stated she wondered how many other animals may have been killed and expressed her dislike for how the situation was handled.

President Corcoran: Glenda Newell and Don Keister.

Glenda Newell, 5629 Rock Point Circle, North Ridgeville, OH – stated Mr. Accorti's actions were appalling and further discussed her dislike for how the situation was handled.

Don Keister, 755 Charlotte Drive, Brunswick, OH – thanked Council for allowing him to speak. He stated he wondered if people know the difference between feral and stray cats and further expressed his dislike in how the situation regarding the kittens was handled.

President Corcoran: I'm having trouble with the handwriting...is it Janet Marchisio? Following Janet we have Binelle Martino.

Janet Marchisio, 2186 Brittany Blvd., Brunswick, OH – expressed her shame in North Ridgeville's behavior and feels the laws need changed.

Binell Martino, 37780 Avalon Dr., North Ridgeville, OH – stated the word euthanasia was not what happened. Ms. Martino further stated no one knows if the kittens were feral and expressed her dislike for how the situation was handled.

President Corcoran: Next up we have Charlotte Corridoni and Karen Fike.

Charlotte Corridoni, 34056 Gina Dr., North Ridgeville, OH – stated TNR (trap, neuter, release) programs work and make a difference.

Karen Fike, Westlake, OH – stated she has rescued over sixty dogs and cats that were feral. She further expressed her dislike for how the feral kittens were handled.

President Corcoran: Ryan McKay and Christina McKay.

Ryan McKay, 6020 Opal St., North Ridgeville, OH – thanked Council for opportunity to speak. Mr. McKay expressed how inhumane it was to shoot the kittens.

Christina McKay, 6020 Opal St., North Ridgeville, OH – thanked Council for the opportunity to speak and thanked the Police Department for what they do. Ms. McKay stated shooting is not an acceptable means as a form of euthanasia.

President Corcoran: Eric Ludwig and Maryellen Ludwig.

Eric Ludwig, 6459 Forest Park, North Ridgeville, OH – stated the use of deadly force was unnecessary.

Maryellen Ludwig, 6459 Forest Park, North Ridgeville, OH – stated TNR works.

President Corcoran: Cannot make out the first name. The last name is Rogers from Lorain and Berry from Washington, D.C.

Candi Rogers, 2801 W. 40th St., Lorain, OH – stated she is the Vice-President of the Pooch Patrol and also volunteers at a local pet rescue. Ms. Rogers stated she has not received any telephone calls from the

City asking for help with the kittens. She further stated she is willing to work with the City to establish policy procedures and training.

Paul Berry, Washington, D.C. – stated he is Executive Director of Alleycat Alleys in Washington, D.C. Mr. Berry stated people are outraged at these actions. He further stated shooting is not part of a routine policy; it is a last resort.

President Corcoran: Hope Brustein and Joyce Bolte.

Hope Brustein, 15463 Chillicothe, Russell, OH – stated she is the Executive Director of the Geauga County Humane Society Rescue Village. Ms. Brustein stated kittens do not pose a major public safety issue and expressed her dislike for how the situation was handled.

Joyce Bolte, 40040 Parsons Rd., Grafton, OH – stated TNR is a definite way to handle this problem. Ms. Bolte stated feral cats can be domesticated and if kittens were feral, they would have run away.

President Corcoran: Pat Fogo and JoAnn Dematiak.

Pat Fogo, 652 Alameda, Sheffield Lake, OH – President and founder of Pooch Patrol. Ms. Fogo stated Mr. Accorti should apologize for his bad decision and admit to the mistake he made.

JoAnn Demchak, 7495 Noll Dr., North Ridgeville, OH – stated she supports Mayor Gillock and the Police Chief's actions and believes it was the mother's responsibility to shield her children from the view of the kittens being shot.

(Noise from audience)

President Corcoran: Please keep your comments to yourselves. When someone is up at the podium, they have the same three minutes as everybody else. If you take their time away, it is not fair. Okay. Teresa Landon and Shannon Vaughn.

Teresa Landon, P.O. Box 546, Grove City, OH – Executive Director of the Ohio SPCA. Kittens are companion animals whether outdoors or indoors. O.R.C. states no one may needlessly kill a companion animal and further expressed her dislike for how the situation was handled.

Shannon Vaughn, 6176 Cornell, North Ridgeville, OH – stated Mr. Accorti committed cruelty to the kittens. She further explained her disgust for the matter.

President Corcoran: Susie Cook.

Susie Cook, 317 31st St., Canton, OH – stated she tweets to people around the world and people are disgusted with these actions. She further expressed her dislike for how this situation was handled.

President Corcoran: Hazel Sferry.

Hazel Sferry, 33025 Hidden Hollow Ct., North Ridgeville, OH – thanked Council for allowing her to speak. Ms. Sferry expressed her disappointment in the Mayor's comments as well as the Chief of Police regarding this situation. Ms. Sferry further expressed her dislike for how this situation was handled.

President Corcoran: Rachel Vanek and Kim Reis.

Rachel Vanek, 34041 Monica St., North Ridgeville, OH – expressed her dislike for how the kitten situation was handled.

Kim Reis, 9264 Island Rd., North Ridgeville, OH – stated her area has several feral cats and she has adopted some of them. Ms. Reis expressed her fear that someone may shoot the cats. She also stated she no longer feels safe.

President Corcoran: Liz Hyland and Carrie Graham.

Liz Hyland, 35161 Oak St., North Ridgeville, OH – stated her house cats once were feral and are now domesticated and further expressed how inhumane Mr. Accorti's actions were.

Carrie Graham, 99 Pike Ct., LaGrange, OH – Director of Pet Rescue of Lorain County. Ms. Graham stated she did a TNR program about five years ago on in North Ridgeville. Mr. Graham stated shooting is not the answer.

Peter Fremark, 321 Stonehedge, Elyria, OH – expressed his disgust with how the situation was handled with the kittens.

President Corcoran: Right now we need to take a break so we can change the battery on the video camera, but is there anybody else that would like to address Council this evening? Okay, then after we change the battery, we will move on to our regularly scheduled meeting.

(Battery change)

President Corcoran: For those that stayed after the lobby session, I appreciate everyone coming this evening and expressing your concerns. We will move on now to the Administrator's reports. Mr. Mayor, you are up first.

ADMINISTRATORS REPORTS:

A. Mayor:

Mayor Gillock: Thank you Mr. President. Good evening everyone. I do appreciate your being here. I understand that people are both compassionate and passionate and the topic concerning the cats generated a tremendous amount of interest. To those of you that have suggestions, answers, alternatives and options – I do appreciate your input. I know our Police Chief has talked to the Ohio SPCA. We have talked to the APL. He has also talked to the U.S. SPCA. We will talk to others. I believe the U.S. SPCA is made an offer of some equipment and training which we are willing to take up with them. This discussion has also generated a lot of rumors, incorrect information and misquotes. There are just so many things on Facebook and emails I get that just weren't the actual case. I will say that we are continuing to review our protocols, as the Chief said, on how we deal with wild animals, including feral cats. Chief Freeman, as he indicated, is investigating more training and equipment to improve how we can do the job. The only suggestions I have heard so far on how to deal with feral cats is trap, neuter and release (TNR). In my opinion, this does not address the issue in this particular case. If those cats were neutered and released back to the resident's backyard where they were hissing and growling and were in a wood pile with young children; it doesn't address the danger to those young children. If the kids get scratched and infected, who is going to be responsible? If you release them elsewhere, you have just made it someone else's

problem. By the way, according to a report that I read from the Michigan State University, it quotes "PETA believes TNR is rarely a success that thus supports humane euthanasia as the lesser of two evils." We will continue to look at our protocol. We may have to consider discontinuing the service we provide to our residents for free of disposing of wild and vicious animals. Many cities do not provide this service as we do and it is not something that we wish to discontinue as it will make our problem with wild animals worse, including feral cats. Our residents would be forced to incur costs to hire an exterminator, for example, if they had a raccoon in an attic or other animals. I am unwilling to continue to subject my employees to threats, verbal abuse and mean, nasty phone calls and emails for trying to do their job. As the lady said this evening, this is a compassionate group. They believe in life. They are not threatening anyone. I can assure you, we have received threats. My assistant has been threatened to be beat up. We have had things like that and I will not allow that to continue. Humane Officer Accorti could have communicated better with the resident. Both the Police Chief and I have said that and talked about it. He has already been counseled by the Chief for not being crystal clear about what he was going to do. That is not the issue. The issue, in my opinion, is what do we do with these cats? Should we continue the service and if we do, how can we improve our protocol? We can easily amend the protocol to say no euthanasia on site. Residents may have to wait until traps are available and there is no guarantee that all the cats will be caught. However, the cats are a danger to young children and no one, no shelter, no animal pound, or clinic will take them; please explain what could be done to make the children safe? The safety of our children and residents are paramount. We will continue to consider change in our protocol and providing more training and equipment to our Humane Officers. We are open to reasonable suggestions and hopefully and maybe with the input from some of these groups, we can make a positive out of this and improve our procedures. Thank you Mr. President.

President Corcoran: Thank you, Mayor. Mr. Safety-Service Director.

B. Safety-Service Director:

Safety-Service Director Armbruster: No report this evening.

President Corcoran: Mr. Engineer.

C. Engineer:

Engineer Wangler: No report this evening.

President Corcoran: Mr. Auditor.

D. Auditor:

Auditor Costin: I will have to break the streak. Council should have received their May financial report which was inadvertently left off the agenda. Other than the written financial report, I have no other report. Thank you.

E. Other Reports:

President Corcoran: May 2013 Fire Department report, May 2013 Mayor's Court reports, May 2013 Support Car report and the May 2013 Water Distribution reports.

COUNCIL COMMITTEE REPORT(S):

None.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

President Corcoran: Moving on to new business. First up, we have T 75.

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 75-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE FOUR (4) 2014 DUMP TRUCKS AND APPURTENANCES FROM THE STATE BID LIST OR STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT(S) WITH AN OUTSIDE VENDOR(S) ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$380,000.00.

President Corcoran: T 76.

Clerk of Council Smith:

T 76-2013 AN ORDINANCE AMENDING N.R.C.O. SECTION 1480.14, *EXTERIOR PROPERTY AREAS*, BY ADDING A NEW SUBSECTION AT (G) WHICH WILL REGULATE EXCESSIVE LAWN DISPLAYS.

President Corcoran: I will refer that to Building and Lands. T 77.

Clerk of Council Smith:

T 77-2013 AN ORDINANCE AMENDING ORDINANCE NO. 5021-2013 BY INCREASING THE "NOT TO EXCEED" AMOUNT FROM \$70,000.00 TO \$104,500.00 IN ORDER TO PURCHASE AN ADDITIONAL POWER LOAD COT SYSTEM FOR USE IN A THIRD AMBULANCE DUE TO THE FIRE DEPARTMENT RECEIVING A GRANT FROM THE OHIO BUREAU OF WORKERS' COMPENSATION.

President Corcoran: T 78.

Clerk of Council Smith:

T 78-2013 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE PURPOSE OF RENOVATING, CONSTRUCTING AND FURNISHING AN ADA ACCESSIBLE RESTROOM AND NECESSARY AND/OR DESIRED APPURTENANCES AT THE CONCESSION STAND IN SOUTH CENTRAL PARK, NOT TO EXCEED \$110,000.00.

RECESS:

President Corcoran: That brings us to the recess portion of our meeting.

Moved by Johnson and seconded by Butkowski to dispense with recess.

President Corcoran: Any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 5

No – 0

President Corcoran: Moving on to first readings. We have T 73.

FIRST READINGS:

Clerk of Council Smith:

T 73-2013 AN ORDINANCE AUTHORIZING REINSTATING THE TAX INCREMENT FINANCING EXEMPTION ESTABLISHED IN ORDINANCE NO. 3730-2001 AND RELATED MATTERS.

President Corcoran: T 74.

Clerk of Council Smith:

T 74-2013 AN ORDINANCE APPROVING THE FINAL PLAT OF PIONEER RIDGE, PHASE 12 IN WATERBURY PCD FOR RECORDING PURPOSES ONLY.

President Corcoran: Moving on to our second readings, we have T 52.

SECOND READINGS:

Clerk of Council Smith:

T 52-2013 AN ORDINANCE REPEALING N.R.C.O. SECTION 672.105 *DISCHARGE OF A FIREARM ON OR NEAR PROHIBITED PREMISES*.

President Corcoran: Third readings. We have T 59.

THIRD READINGS:

Clerk of Council Smith:

T 59-2013 AN ORDINANCE APPROVING THE FINAL PLAT OF HAMPTON PLACE, PHASE 3, FOR RECORDING PURPOSES ONLY.

Moved by Olesen and seconded by Butkowski to adopt T 59.

President Corcoran: Any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: Measure passes with two absentees. It becomes **Ordinance number 5040-2013**.

Yes – 5

No - 0

MEETING ANNOUNCEMENTS:

President Corcoran: The Committee of the Whole meeting on Monday, July 1, 2013 at 6:00 P.M. in Council Chambers regarding the Parks and Recreation Master Plan. Our next regular Council meeting is Monday, July 1, 2013 at 7:30 P.M. right here in Council Chambers.

Auditor Costin: Mr. Chairman, I would like to announce that the Auditor's office will be preparing an amended appropriation Ordinance for the July meeting which will be necessary to pass T 77 and T 78 and

other financial matters that occurred since our permanent appropriations. We will advise the Finance Committee, as we historically do, and the President of Council, by email, around cloture time.

ADJOURNMENT:

The meeting was adjourned at 9:08 P.M.

Approval of minutes:

These minutes were approved at the regular meeting of the North Ridgeville Municipal Council on July 1, 2013.

A stylized handwritten signature, possibly reading 'K. E.', written in black ink.

PRESIDENT OF COUNCIL

A cursive handwritten signature, possibly reading 'George E. Linnick', written in black ink.

CLERK OF COUNCIL