

APPROVED

**URBANA CITY COUNCIL  
REGULAR SESSION MEETING  
TUESDAY, JANUARY 2, 2018, AT 6:00 p.m.**

President Marty Hess called the regular session meeting of the Urbana City Council to order at 6:06 p.m. City staff attending: Director of Administration Kerry Brugger, Director of Finance Chris Boettcher, Director of Law Mark Feinstein, Community Development Director Doug Crabill, and Fire Chief Mark Keller.

**PRESIDENT CALLED ROLL:** Ray Piper, present; Tony Pena, present; Pat Thackery, present; Cledis Scott, present; Dwight Paul, present; Doug Hoffman, present; and Gene Fields, present.

President Hess led those present in the Pledge of Allegiance.

**Annual Organization Items**

1. Council President Pro Tem Appointment – Mr. Hoffman moved to appoint Mr. Paul as the Council President Pro Tem, and Mr. Fields seconded. Voice vote on approval: all ayes, nays, none.
2. Council Clerk Appointment – Mr. Hoffman moved to appoint Amy Deere as the Council Clerk and Mr. Thackery seconded. Voice vote on approval: all ayes, nays, none.
3. Council Meeting Schedule – Mr. Thackery moved to accept the calendar provided as the Council Meeting Schedule and Mr. Scott seconded. Voice vote on approval: all ayes, nays, none.
4. Boards and Commissions Seats – This item was discussed and it was agreed that this would be a topic of the next meeting.

**MINUTES** of the Regular Session Meeting Minutes of December 19, 2017. Mr. Thackery moved for the approval of said minutes and Mr. Fields seconded. Voice vote on approval: all ayes, nays, none.

Motion passes 7-0.

**COMMUNICATIONS**

1. Notification of Continued Natural Gas Line Replacement Project.  
Mr. Brugger stated that Columbia Gas would be starting again on this project this week, weather permitting. He also mentioned that he was sure that Columbia Gas had a protocol pertaining to weather.

Mr. Fields moved to accept all of the communications and Mr. Thackery seconded.  
Voice vote on approval: all ayes; nays, none.  
Motion passes 7-0.

## **ADMINISTRATIVE REPORTS – BOARD OF CONTROL**

### **1. Purchase Order List for 2018**

Mr. Paul moved to put this item on the floor for discussion and possible passage. Mr. Fields seconded. Voice vote on approval: all ayes, nays, none.  
Motion passes 7-0.

### **2. CMI - \$14,293.31 (Police Division)**

Ms. Boettcher said that this would be updating the existing software that keeps the police department running.

Mr. Fields moved to put this item on the floor for discussion and possible passage. Mr. Paul seconded. Voice vote on approval: all ayes, nays, none.  
Motion passes 7-0.

## **CITIZEN COMMENTS**

Rebecca Hoffman – 342 E. Church St., spoke on behalf of Calico TNR (Trap, Neuter and Return). She stated that feeding bans do not work. She said that cats will continue to search for food. She also thanked Mr. Thackery for coming out to PAWS.

Angela Vanhooose advised that a feral female cat will give birth to 100 kittens and she stated that this organization, Calico TNR is willing to work with the City on the cat population issue.

Heather Angus – 212 Park Ave., spoke of her support of the idea of TNR. She stated that she hoped Council would consider tabling this issue until spring due to the fact that it would be very cruel to the cats.

Robin Craft – Black & Orange Cat Foundation, Plain City, Ohio, stated that between 2016 and 2017, this non-profit organization spayed approximately 400 cats in Champaign County, to which 75% of the 400 cats were in the 43078 zip code. They receive a grant to spay and neuter. She stated that a feeding ban is not the answer to dealing with feral cats and that the only answer is to spay and neuter. She stated that the cats will just look for other feeding sources, which may then be people's trash or bird feeders. She also stated that feeding bans discourage the practice of TNR, which has been proven to be the only way to effectively stabilize cat populations. With a feeding ban in place, TNR will be impossible, because we use food to trap the cats. She also stated that if a feeding ban is enacted, the real problem is being ignored, which is that spay and neuter must be encouraged. She

also stated that a feeding ban is cruel and it will not bring about the desired results, which is fewer cats within the community and only spay and neuter through TNR can accomplish that.

Mr. Hoffman inquired as to what percentage of the cat population has been spayed or neutered? Ms. Craft stated that it was approximately 10% and that it was only an estimate.

Dana Parks – 844 Jackson Hill Rd. – Barely Used Pets. Ms. Parks began by stating that controlling the cat population is and will continue to be an on-going process. She also added that it must be handled humanely. She also said that people will feed the cats anyway, for they care more about the cats than Council. She said that cats are territorial and can last a long time without food.

Mr. Thackery said that this issue was started due to a deer and geese issue. He added that Council was not anti-cats and that cats just got thrown into it. He said that this issue was based on the fact of deer being destructive to citizen's properties, businesses, etc. in addition to the geese dropping at the park which is considered to be a health hazard.

Jodi Ray Patton – Calico TNR. She stated that this organization is ran by volunteers and that it doesn't cost the tax payer a dime. She said that when a cat is TNR'd, included in the process of spay or neuter, the ear is tipped, which is a sign that shows the cat has been TNR'd. She also advised that when this process is done, the cat is also rabies vaccinated. She also said that another City has re-written an ordinance to include TNR.

Kylie – His Hands Extended Sanctuary spoke of her support of TNR and stated that it aided in the cat's lives. She also stated that when they do spays/neuters of TNR's, they also ear tip all of the feral cats. It was also stated that the Sanctuary paid to have 50 cats spayed/neutered right off the back. It was also stated that all vets and clinics should donate 10, 20, 25, or whatever sum of spays/neuters to help the cause.

Tom Berkhofer – 4672 Hickory Ridge Rd., asked how it was to be known that it was a feral cat. He added that he would be violating the law for he would be feeding the cats.

Tina Bargie – 920 S. High St., inquired as to forming a committee, if that committee would include the public. She was advised that it would include the public. Mr. Thackery added that the committee would have to include people both for and against the issue.

John Wright told a story about when he used to deliver mail and found a kitten with a broken leg, and he picked it up and put it in his mailbag. To this day, he still has that cat.

Mr. Pena advised the audience again, that Council had nothing against cats. He stated that this issue was brought due to the deer destruction of property and geese feces.

**ORDINANCES AND RESOLUTIONS:**

**Third Reading –**

None

**Second Reading –**

**ORDINANCE NO. 4488-17**

AN ORDINANCE MODIFYING SECTION 505.01(a) OF THE CODIFIED ORDINANCES OF URBANA, OHIO TO DEFINE “ANIMAL” AS ANY MEMBER OF A SPECIES OF THE ANIMAL KINGDOM, DOMESTICATED AND WILD, MALE AND FEMALE, SINGULAR AND PLURAL. EXCEPT POULTRY AND THOSE LISTED IN (B) AND (C) HEREIN, AND FURTHER TO ADD A DEFINITION OF “KEEP”, AS USED IN 505.08 OF THE CODIFIED ORDINANCES OF URBANA, OHIO, AS MEANING “TO EXERT CONTROL OVER ANY ANIMAL INCLUDING, WITHOUT LIMITATION, TEMPORARILY OR INDEFINITELY HOUSING, CARING FOR, FEEDING, ATTRACTING BY ANY MEANS, PROVIDING WAER FOR, AND/OR SHELTERING THE ANIMAL.”

Mr. Hoffman stated that he is hopeful that all involved will be more efficient about this effort, and as a Council member, he is more than willing to work with these groups.

Mr. Thackery moved to table this ordinance and Mr. Hoffman seconded. Voice vote on approval of tabling this ordinance: all ayes, nays, none.

Ordinance tabled.

President Hess declared a five minute recess.

**First Reading –**

**ORDINANCE NO. 4439-18**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN INDIGENT DEFENSE AGREEMENT WITH THE CHAMPAIGN COUNTY COMMISSIONERS TO ALLOW THE CITY TO RECEIVE PARTIAL REIMBURSEMENT FROM THE OHIO PUBLIC DEFENDER COMMISSION FOR INDIGENT DEFENSE EXPENSE IN CHAMPAIGN COUNTY MUNICIPAL COURT. (Requires three readings)

Mr. Feinstein stated that this ordinance allow the City to receive a certain amount of reimbursement for defense of defendants who cannot afford an attorney.

President Hess declared this ordinance to have its first reading.

**ORDINANCE 4489-18**

AN ORDINANCE ACCEPTING THE ANNEXATION OF TWO PARCELS CURRENTLY OWNED BY THE BOARD OF EDUCATION OF THE URBANA CITY SCHOOL DISTRICT AND CONSISTING OF 71.973 ACRES, MORE OR LESS, TO THE CITY OF URBANA, OHIO. (Requires three readings)

Mr. Crabill said that this ordinance was formally accepting the school annexation on south 68. He also added that upon passage, 30 days following, the annexation is valid. President Hess declared this ordinance to have its first reading.

#### **RESOLUTION NO. 2521-18**

A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION AND/OR FIRE CHIEF TO TAKE ALL STEPS NECESSARY FROM APPLICATION THROUGH ACCEPTANCE, ON BEHALF OF THE CITY OF URBANA, AS TO THE "ASSISTANCE TO FIREFIGHTERS" GRANT FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, AND FURTHER AUTHORIZING THE DIRECTOR OF ADMINISTRATION AND/OR FIRE CHIEF TO TAKE ALL STEPS NECESSARY FROM APPLICATION THROUGH ACCEPTANCE, ON BEHALF OF THE CITY OF URBANA, AS TO ANY GRANT WHICH MIGHT BECOME AVAILABLE IN THE CALENDAR YEAR 2018, AND DECLARING AN EMERGENCY. (Suspension of rules requested)

Chief Keller said that this was the same AFG grant that the Fire Department has applied for in the past. He stated that the department was in need of new heart monitors, in addition to another piece of equipment. He added that the City would pay a percentage but the grant would pay a bulk of the cost, if awarded. He also stated that they were going through a grant writer to do this application and the cost of that would be \$2,500.00 and 5% of the grant.

Mr. Fields moved to suspend the three reading rule and Mr. Paul seconded. President Hess called for a roll call for the suspension of the rules: Mr. Fields, yes; Mr. Hoffman, yes; Mr. Paul, yes; Mr. Scott, yes; Mr. Thackery, yes; Mr. Pena, yes; and Mr. Piper, yes.

Motion passes 7-0.

Mr. Fields moved to put this resolution on the floor for discussion and possible passage. Mr. Paul seconded. President Hess call for a roll call for passage: Mr. Fields, yes; Mr. Hoffman, yes; Mr. Paul, yes; Mr. Scott, yes; Mr. Thackery, yes; Mr. Pena, yes; and Mr. Piper, yes;

Resolution passes 7-0.

#### **MISCELLANEOUS BUSINESS/WORK SESSION**

Mr. Fields stated that after the first big snow, the streets looked great.

Mr. Hoffman spoke of his hopes that people come together for this animal issue.

Mr. Paul stated that it was nice to have an audience at tonight's meeting, it was just a shame it was for cats and not people.

Mr. Scott inquired as to Christmas tree pick up and asked if the City was going to pick them up. Mr. Brugger responded that pick up would begin this week.

Mr. Pena mentioned the new restaurant Lincoln & Main and invited citizens to go check it out.

Mr. Piper stated that the worker's for the City were doing a great job and they need to keep up the good work.

Mr. Crabill spoke of the Work Session scheduled for January 23, 2018, with the County Commissioners. He said that is was scheduled and was looking forward to the meeting. Additionally, he spoke about the tabled ordinance and said that we probably should look deeper into this ordinance and spoke briefly about the formation of the committee.

Chief Mark Keller said that Eric Beverly has been appointed as Captain, and would be sworn in soon.

Mr. Earl Evans spoke of the feral cats and stated that this was a 24/7, 365 days a year problem. He also addressed the deer situation and stated that was how the fence got installed at the airport.

Mr. Brugger spoke about the truth in issues and said that if citizens would just come to meetings, they would hear the truth about situations, and that it wouldn't be a story that is passed on from one person to another, with a little added on. He encouraged leaders in the community to be **Leaders in the Community.**

President Hess spoke to a couple of remaining citizens in the audience about Council meetings and the need for the public to attend. He stated that the meetings used to be televised, but are no longer, and that Council was still looking into how to get the meetings out to the public. He reiterated the fact that until a solution is found, it should be important to the citizens to attend the Council meetings.

Mr. Fields moved to adjourn. Mr. Paul seconded. Voice vote on approval: six ayes, nays, one, from Mr. Hoffman.  
Motion carries 6-1.

**ADJOURN AT 7:34 p.m.**

**NEXT SCHEDULED MEETING**

January 16, 2018, at 6:00 p.m.

  
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Council Clerk

  
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Council President