

NOTES:

1. Due to the COVID-19 pandemic all upcoming Regular or Special meetings; Governor DeWine's directive for meetings and social distancing will strictly be enforced.
2. The public is encouraged to email comments related to agenda items or general communications to the Clerk of Council, Michelle Blazak, email address by 4:30 p.m. the day of said meeting. All emails received will be shared with all elected officials and either read at said meeting or attached to the minutes' journal.

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, MAY 19, 2020**

A. ROLL CALL OF MEMBERS:

B. PLEDGE OF ALLEGIANCE:

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. EMERGENCY SPECIAL COUNCIL MEETING HELD ON APRIL 14, 2020.
2. CAUCUS PRIOR TO COUNCIL MEETING HELD ON APRIL 21, 2020.
3. REGULAR COUNCIL MEETING HELD ON APRIL 21, 2020.

D. REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairwoman, Schmuck
Finance Committee - Chairman, Scott
Legislative Committee - Chairman, Mencini
Parks & Recreation Committee - Chairman, Poindexter
Planning Committee - Chairman, Orcutt
Safety Committee - Chairman Troyer
Service Committee - Chairman, Salvatore
Board of Zoning Appeals - Chairman, Mencini

E. REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Orcutt
Berea Board of Education Representative, Mencini
Technology and Innovation Council Representative - Poindexter

F. REPORTS OF BOARDS AND COMMISSIONS:

G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:

I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:

J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):

K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

1. BOARD OF ZONING APPOINTMENT (Mayor Gammella) – CAROL HENNINGER.

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

M. INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11151-2020, ENACTING SECTION 505.23 OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED 'MANAGEMENT OF CAT POPULATION; PERMITTED ACTS' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella and Councilmembers Troyer, Mencini, Orcutt, Scott, Schmuck, Poindexter and Council President Vecchio.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES
FOR THE COUNCIL MEETING OF MAY 19, 2020**

FIRST READING:

Ord. No. 11151-2020 AN ORDINANCE ENACTING SECTION 505.23 OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED "MANAGEMENT OF CAT POPULATION; PERMITTED ACTS," AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance enacting section 505.23 of our codified ordinances to allow for the Trap-Neuter-Return of cats within the city.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
May 13, 2020**

W/C 4-21-20 LEGISLATIVE
CA 5-12-20 Amended
1st R 5-19-20
2nd R _____
3rd R _____
D/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11151-2020

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE

ENACTING SECTION 505.23 OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED "MANAGEMENT OF CAT POPULATION; PERMITTED ACTS", AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Brook Park has determined that a process of trapping, sterilizing, vaccinating for rabies, ear-tipping and returning cats to their original location is an effective and humane way to manage the population of cats within the City of Brook Park; and

WHEREAS, the Council has determined that this process, known as Trap-Neuter-Return, is the preferred approach for managing the cat population, and that Trap-Neuter-Return shall be the prioritized disposition for any impounded community cats.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 505.23 of the Brook Park Codified Ordinances, entitled 'Management of Cat Population; Permitted Acts' is hereby enacted to read as follows:

505.23 Management of Cat Population; Permitted Acts.

- (a) Definitions. For purposes of this Section, the following terms shall have the following meanings:
 1. "Community Cat" is a member of the domestic species *Felis Catus* and shall mean a free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are not wildlife.
 2. "Community Cat Caregiver" shall mean a person who, in accordance with and pursuant to a policy of Trap-Neuter-Return, provides care, which may include shelter or medical care to a community cat, while not

being considered the owner, harborer, controller or keeper of a community cat.

3. "Eartipping" shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.
4. "Trap-Neuter-Return" shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, and returning community cats to their original location.

(b) Permitted Acts. The following actions shall be permitted in Brook Park as part of Trap-Neuter-Return:

1. Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and eartipping community cats, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, where applicable.
2. An eartipped cat received by local shelters will be returned to the location where trapped unless veterinary care is required. A trapped eartipped cat will be released on site unless veterinary care is required.
3. Community cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning eartipped community cats to their original locations.
4. A person who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.
5. Trap-Neuter-Return shall be the preferred disposition for impounded community cats. Animal control and the local shelter are authorized and encouraged to conduct Trap-Neuter-Return or to direct impounded community cats to a Trap-Neuter-Return program.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for further reason that Council desire to enact Section 505.23, therefore, provided this ordinance receives the affirmative vote of at least (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE