

PUBLIC AFFAIRS COMMITTEE MINUTES

December 21, 2015

The meeting was called to order by Mrs. Groat at 6:00 p.m.

MEMBERS PRESENT: Henk Berbee, Nevin Taylor and Deborah Groat

OTHERS PRESENT: Tim Aslaner, Kris Jones, Sandy Menard, Taylor Evans with Journal Tribune

APPROVAL OF MINUTES: The minutes for the meeting on October 26, 2015 were approved as presented.

AGENDA:

Comments from Citizens:

Discuss Chapter 505.01, Dogs and other animals running at large: Mrs. Groat introduced Sandy Menard of 281 W. Ninth Street. Ms. Menard wanted to voice her concern for her neighbor's fowl running around at large. Ms. Menard stated she made handouts for the committee. She was unaware of the policies that state you can own chickens within City limits when she bought her house. She had the option when she bought her house to buy in city or in the country. She chose the city because she did not want the country life. She said these chickens have run loose a few times and she has only been able to get pictures of them a couple times. There are a lot of children in the area, and roosters have been known to become aggressive when they think they are being threatened. Children walk up and down the street and there are numerous houses that have roosters and chickens. One neighbor does not have a fence up in their yard for their roosters and chickens. She said you hear them all day long.

Mrs. Groat asked if Ms. Menard had the addresses for the homes that she is stating own chickens/roosters. There is a house on Eight street that she does not have the address. Mrs. Groat stated that her concern was she needed Ms. Menard to quantify what she was saying to they can verify facts. Ms. Menard believed on of the addresses is 308 W. Ninth Street. Mrs. Groat asked what this property owned. Ms. Menard stated roosters. Mrs. Groat asked how many and if she has seen them. Ms. Menard stated she has not seen them, just hears them. She also added she knows they have roosters, chickens and sometimes a loose dog. Ms. Menard said there is another house at 267 W. Ninth Street, she said they also have a rooster(s) and a chicken. This property only has a fence on one side of the property. She said the chickens were running at large during the summer, she stopped a couple of the neighbor kids from running over towards them on several occasions, because you do not know if they are going to attack or not. Mrs. Groat asked her to clarify how many occasions is numerous. Ms. Menard said it has been at least five different occasions that she has told the neighborhood children to stay away from the chickens. Mrs. Groat stated when Ms. Menard comes back to the committee that she brings a notebook of dates when events happened.

Ms. Menard said that they have contacted the Marysville Police Department and she was told they could not help her in this situation. She asked who she should call when they have these running at large in the neighborhood. Mrs. Groat viewed the pictures and stated she only saw one rooster.

Mrs. Groat asked if she has neighbors who are also concerned with the chickens that would be willing to come in and talk to the public affairs committee. Ms. Menard stated she would have to ask them but would probably say no. She said they both have hectic lives and are single parents. Mrs. Groat said her question at that point is are they concerned about this as you or are you showing concern for them. Ms. Menard stated that she has talked about with her neighbors numerous times, through email, facebook chat and texting. They both knew she came to the meeting and would like her to let them know how it turns out.

Mr. Taylor said underneath our current legislation 505.01 there are several tests that are needed to be met. You have shown us that the fowl are running at large, we just have to prove who is at fault with that area and address it with them. Mr. Taylor said our burden is we have to identify which poultry belong to which property owner. He agrees with Ms. Menard that they should not be running free in her neighborhood. Mr. Taylor asked Ms. Menard if she saw them charge some children or if she has told them to beware because they may charge. He said poultry will not attack until they are cornered. He said he was an Ag Ed. Instructor for 31 years, and had two national swine winners and two national poultry winners.

Ms. Menard referred the committee to section 505.08, which is the nuisance law. She explained she can't enjoy her property because of the noise from the chickens. Mrs. Groat said she understands her concern about the noise, but that is just being a bad neighbor. Ms. Menard said with the noise from radios and dogs, they can contact the Marysville Police Department and make a complaint. Ms. Menard stated she has a house that she cleans, and their roosters are a 100% quieter than her neighbor's chickens. Mrs. Groat stated she is going to have a lot of trouble legislating against the occasional loud noise.

Mr. Taylor quoted ORC section 2917.10. He said we would need to prove ownership of the poultry before we can do anything about it. Mr. Aslaner volunteered to contact the Police Department and see what could be done about the issue, however, we would need to find out who the owner of the poultry is before something could be done. Mrs. Groat asked Mr. Aslaner to contact the Police Department and handle the poultry calls on a case by case basis.

Review Council Rules of Procedure for 2016: Mr. Taylor said he has went through the current rules of procedure and has made some suggestions. He went through his proposed changes. (See attached) Mr. Aslaner questioned Mr. Taylor's suggestion to have the voting done in November and December because the Charter requires a vote every year. He also stated that the Mayor of Council cannot serve two years because the charter only allows for a one year term. He did suggest that if Council likes the Mayor they may re-elect him or her for an additional year.

The topic of the Board of Control was brought up to the committee. Currently beginning in 2016, we only have two members on the board of control. Mr. Taylor suggested adding another member to the board; Mr. Aslaner said that would require a change to the Charter. Mr. Taylor

asked if we could appoint someone to attend on behalf of Council and he could be the tie breaker vote if needed. Mr. Aslaner was not sure that was the best way to handle this, he thought a change to the charter adding an additional member would be the cleanest way to handle this. Mr. Taylor asked Mrs. Jones to make sure this is a topic at the Council Retreat.

The meeting adjourned at 7:10p.m.

DRAFT