



City of Grand Island

Tuesday, March 25, 2014
Council Session (Corrected)

Item G-2

Approving Minutes of March 18, 2014 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

March 18, 2014

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on March 18, 2014. Notice of the meeting was given in the *Grand Island Independent* on March 12, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmembers were present: Vaughn Minton, Mike Paulick, Mark Stelk, John Gericke, Peg Gilbert, Mitch Nickerson, Julie Hehnke, Chuck Haase, Linna Dee Donaldson, and Kent Mann. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Robert Sivick, City Treasurer and Finance Director Jaye Monter, and City Engineer and Public Works Director John Collins.

INVOCATION was given by Community Youth Council member Kerrigan Anspauch followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Kerrigan Anspauch.

SPECIAL ITEMS:

Presentation of City Code Chapter 5 – Animal Code and Related Changes. Assistant City Attorney Stacy Nonhof reported that the proposed changes for Chapter 5 of the Grand Island City Code relating to Animals was presented to Council at the March 5, 2014 Study Session. This meeting was for public input and further discussion on the changes. Ms. Nonhof gave the following overview: allowing chickens on property, duty to keep pets groomed, owners required to spay and neuter dangerous and/or potential dangerous dogs, and nuisance ownership.

The following people spoke:

- Jim Koehn, 610 West 12th Street – opposed chickens
- Joshua Harris, 2501 W. Oklahoma Avenue – supported chickens
- Kathy Nabity, 121 West 23rd Street – supported chickens
- Cathy Harris, 2501 W. Oklahoma Avenue – supported chickens
- Hope Nelsen, 3987 W. Capital Avenue – supported chickens
- Samantha Karr, 2121 Sheridan Avenue – supported chickens
- Karen Nagel, 1905 N. North Road – spoke regarding Section 5-16 – enclosures – supported the 75' setback from existing enclosures
- Cory Proskocil, 2319 Stardust Lane – supported chickens
- Paul Wicht, 1708 Jerry Drive – opposed chickens and commented on nuisance owners
- Malori Marotz, 224 Saratoga Circle – supported chickens
- Missy Gerard-Lemons, veterinarian and Animal Advisory board member– commented on the enforcement of the City Code with regards to chickens
- Don Hanquist, 3987 W. Capital Avenue – supported chickens
- Charlie Skorupa, 412 Nebraska Avenue – commented on cats roaming at large

Ms. Nonhof stated she had not seen many complaints against chickens. She had received calls from people wanting chickens and discussing lot sizes. Discussion was held regarding the problems of figuring lot size and if the GIS system would help with this. Public Works Director John Collins stated anyone could go to the web and could search lot sizes.

Wild animals were mentioned which did not include possums and raccoons. Ms. Nonhof stated these were not domesticated animals so were considered wild animals. If these animals were in your house or garage the Central NE Humane Society (CNHS) would come and get them. If they were in the back yard CNHS did not have the resources to deal with this.

Ms. Nonhof explained Section 5-16 (C) enclosures. A waiver of property owners could be applied for or a variance could go before the City Council. She stated horses could not be ridden on the city streets. Horse drawn carriages could be used on city streets but had to have a permit from the Police Department.

Discussion was held concerning barking dog issues in Section 5-38. Ms. Nonhof stated the enforcement of this would need to be a neighbor, the person calling, or the animal control officer to testify. Fines would be issued up to four times in two years before the person would be declared a nuisance owner. City Attorney Bob Sivick stated a person could file a civil suit for relief of problems with a neighbor's animal.

Comments were made concerning Section 5-16 regarding enclosures and the amount of distance from an adjoining property. Discussion was held regarding enclosures for chickens. Ms. Nonhof stated this would fall under Section 5-15 as with any other animal, there was nothing in City Code specifically for chickens. Enforcement was mentioned and would we need more animal control officers. Ms. Nonhof stated more than half of the time it would be complaint driven. Concerns were made by Council regarding the diseases carried by chickens and public health hazards.

Section 5-7.1 Selling Animals on City or Private Property was mentioned. It was recommended that the property owner give permission for such sales. Butchering animals within city limits was mentioned as not being in City Code and it was recommended that the City Code exclude wild animals. Mr. Sivick stated this would affect commercial animal processors. Mr. Sivick commented on fines and stated all fines go to the Public Schools. If fines were not paid a warrant could be issued and the person could be arrested. Section 5-18 Number of Animals; Limits were discussed with regards to the number of birds.

Mayor Vavricek stated this item would be brought back for final decision at the March 25, 2014 meeting where amendments could be made at that time.

ADJOURNMENT: The meeting was adjourned at 8:56 p.m.

RaNae Edwards
City Clerk