

PUBLIC SAFETY COMMITTEE MEETING FEBRUARY 9, 2011

Chairman O'Neill called a Public Safety Committee Meeting for Wednesday, February 9, 2011 at 6:30 PM in the Euclid Municipal Center Council Chamber.

AGENDA

Ord. (231-11) An ordinance amending Section 505.04 "Duties of the Health Officer" and Section 505.05 "Enforcement Procedure" of the General Offenses Code of the Codified Ordinances of the City of Euclid to amend the duties of the health officer and to create regulations for animal venues. (Sponsored by Councilperson Scarniench) **TO BE REFERRED FROM 2/7/11 COUNCIL MEETING.**

Members Present: Holzheimer Gail, Jones, Scarniench, O'Neill

Excused: Gilliam

Council President Holzheimer Gail moved to excuse Councilman Gilliam. Councilwoman Scarniench seconded. Yeas: Unanimous.

Others Present: Prosecutor Jason Carter, Animal Warden Ann Mills, Councilman Van Ho, Clerk of Council Cahill.

Chairman O'Neill – I would like to advise the attendees of the agenda as well as how to address Council and the committee. You'll have 5 minutes to address Council and it is timed, there's a clock behind me and there's one to the rear of the room. Step up to the microphone, there's a green button to turn on, state your name and address. This is not an open meeting so you need to address the agenda. No personal attacks and we hope to have a very educated meeting and all walk away with a better understanding of what we can and can't do.

I would like to introduce Prosecutor for the City of Euclid, Jason Carter. Next to him is Stacy Short from the Cuyahoga County Board of Health. She is the Program Manager. Tom Barsa from the Board of Health. Tom is sanitation enforcement. He's the person who actually comes in and checks the venues for the Health Dept. to make sure they're in compliance. Next to Tom is Ann Mills, our Animal Control officer. Thank you all for coming and we appreciate your input.

At this point I will turn it over to Jason Carter to brief us on the ordinance.

Prosecutor Carter – As an initial matter, it was brought to our attention at Planning & Zoning meeting that there was a pet store that wanted to move into the City of Euclid. As a result of that we began some investigation because we were made aware of some complaints of that pet store. That pet store was located at some point within the boundaries of the City of Cleveland.

We began to investigate whether there were complaints that were provided through regulatory agency or what agency was regulating said pet store. It turns out that the City of Cleveland does not have a regulatory agency for pet stores. So there were no documents, there was nothing available to substantiate the complaints that were made.

Then we began to look to see what regulatory agencies there were available anywhere else and it turns out that the County has the Board of Health and they regulate pet venues or pet stores that are in all jurisdictions except for Cleveland and Shaker because they have their own Board of Health. We made contact with them to determine what it is that they do. It turned out that they recently passed an animal venue program that provides them access to pet stores and it has several requirements that will be spoken to later. But that requires parties to gain a permit, and to be in compliance on several levels in order to sell pets within Cuyahoga County.

We had a meeting with them, myself, Director of Law Frey, Ann Mills and Councilwoman Scarniench, regarding this issue to come up with what will be the best plan. There were several ideas that were suggested, some of which had varying results or at least varying outcomes. What we came up with was the legislation that we have before us today. That legislation purports to, well the first thing it does is it formalizes that we adopt the Cuyahoga County Board of Health's regulation for animal venues as they refer to them, so pet stores. We will be adopting that under our codified ordinances.

The second thing that we will do is provide a penalty for anyone who fails to comply with the animal venue regulations. That penalty will be a misdemeanor of the third degree for each day that they are not in compliance. Just an fyi, a misdemeanor of the third degree carries with it a maximum penalty of \$500 and a maximum jail sentence of 60 days in jail. That will be the penalty for anyone who fails to comply with the animal venue program and the regulations that are established by the Board of Health. As well as working in tandem on the humane level with our Animal Warden Ann Mills.

That is the long and short of the legislation that you have before you today. At this point I will defer to Stacy Short to speak to what the animal venue regulation does.

Ms. Short – I'm with the Cuyahoga County Board of Health. I'm also here with Tom Barsa who is one of my colleagues at the Board of Health. The City of Euclid came to us when they understood that there might be an issue with a pet store moving into the city limits and the pet store had existed in Cleveland and it is our understanding that there were maybe some issues with the store.

Comparing the store in the City of Cleveland to having the store in Euclid, might be apples and oranges. If we have a pet store in the City of Euclid, the good thing is that we have instead of zero regulatory oversight with this venue, we have two entities with regulatory oversight. Ann Mills, the Animal Control officer in the City of Euclid will address humane issues and animal care issues with the pet store. The Board of Health with our animal venue program we will address anything that affects public health. We'll look at sanitation of the store, we'll look at the types of animals that are being sold. We have particular concerns if animals are wild, exotic, dangerous and we want to make sure the public isn't injured by animals and we want to make sure the public doesn't contract a disease carried by animals.

That is the main intent of our program, to protect public health and safety. We would do a minimum of one visit that is unannounced to a store to make sure that they're in compliance with the regulation. We would do as many follow up visits that are necessary to make sure that any deficiencies are corrected and an operator understands what applies and what needs to be implemented.

We're here to answer questions that you might have, help address concerns, help clarify any sort of confusion that you might have.

Chairman O'Neill – Jason, if you look to the back side of the ordinance, Section g, just kind of explain the enforcement procedures. That seems to be one of the biggest issues on here. It backs up what you're saying but it is in addition to the ordinance. I just want to read that out to the ordinance so they understand also what we're doing to enforce this ordinance.

Prosecutor Carter – It states, no person shall engage in the housing, storing, care and sale of pets in a commercial facility unless they are in compliance with the regulations set forth by the Cuyahoga County Board of Health. Any person found not in compliance with the Cuyahoga County Board of Health regulations is prohibited from housing, storing, caring for and selling until they are in compliance with the Cuyahoga County Board of Health regulations. The penalty for that would be the misdemeanor of the third degree.

What that says is if a party is found not complying with the Cuyahoga County Board of Health, Mr. Barsa goes out, finds that they are doing something that violates their rules, they make us aware of it and we proceed with a citation and thereafter the criminal process begins. That is what that provision is stating.

Chairman O'Neill – To Ms. Mills, is there anything that you want to add on behalf of the animal control, as far as the humane treatment of the animals, or did you want to wait for questions?

Warden Mills – We have a very extensive review we go over with the pet shop. Pages and pages of everything that we check out and make sure every animal all the way down to a hamster, is perfect and well taken care of and we too have a license that they have to renew every year. Working with the Health Dept., I'm sure we'll be able to handle it.

Chairman O'Neill – I think the audience has a better understanding. This is a two-pronged issue from the City of Euclid standpoint. We engage the Board of Health for the sanitary conditions of the store. That's also backed up by our own animal control officer that maintains any humane issues that may come up with the animals. Mr. Barsa, is there anything you wanted to add?

Sanitarian Barsa – At first, if there is a pet store that moves into Euclid, I will be working with that pet store. They will be well aware of what the ordinance states. We work with them. It is really easy to comply with this ordinance. If there are any issues, typically it is all rectified within a very quick follow up visit. If not, like we were mentioning before, with the passage of the ordinance from the City of Euclid, it would be easier for us to take some sort of action with the ordinance that is being passed here today.

Chairman O'Neill – I'll open up questions from Council.

Councilwoman Scarniench – One of the things that impresses me about this program is between the County Health and our own animal warden, every animal that is in the store has to have documentation as to where it comes from. The whole purpose behind that is if either one finds a cause that, if it's a health issue that has to do with the public, the County Health would be able to go back to where these animals come from. They have to have the documentation.

I thought that was very important because I know how everybody feels. So both ways, and the same thing would be for our Warden. If there was an issue, if a dog kind of looks funny or something or a cat, they can go back and find out where the animals come from. I think that gives us a lot of leverage that Cleveland doesn't have.

I've spoken to the prospective owners and they're very willing to work with us, to do what we need to do. They really don't plan to sell animals right now, puppies and kitties. They want to do fish and the starter animals as they call it and deal mostly with feed. I'm hoping and they did say that they wanted to work with our Animal Shelter. I'm hoping that will be able to do something similar to what PetSmart does or we can take some of our animals over there, into the cages. This is a very small place and they're not going to be able to have that many animals over there. I think this kind of covers what we want.

We've gone over this, over and over again. Unfortunately no law has been tested yet. I think this is a good compromise. I think the folks that are going to open this store are willing to work with us. This is why we've gone ahead with this legislation. I think it will be good. If it isn't, trust me, I will be there to haunt them. We will make sure that everything stays the way it has to be. Thank you.

Chairman O'Neill – Council committee recognizes Councilman Van Ho.

President Holzheimer Gail – I just want to make sure I understand correctly. The Board of Health will provide either a certificate or some sort of registration for this, for any site that would?

Ms. Short – Yes, I failed to mention that. A permit that is renewed annually is required for all animal venues.

President Holzheimer Gail – This is a fairly new program through the Board of Health this animal venue?

Ms. Short – Yes it is.

President Holzheimer Gail – Have you had issues with other stores in Cuyahoga County? Is there anything we should be looking for?

Ms. Short – Knock on wood, we've been very fortunate that the program has rolled out very smoothly. That's not to say that every location we've gone into hasn't had an issue or two. But people, store owners, operators, are very willing to work with us and it has gone quite well. Last year was our first full year of permitting all of our locations and doing inspections.

President Holzheimer Gail – You indicated there would be just one surprise visit?

Ms. Short – There's a minimum. The program isn't here to necessarily have the freedom to show up at an animal venue every other week to check on them constantly. The minimum requirement is that one full standard inspection be done and it is an unannounced inspection. If there were any issues that needed some work, some correction, so on and so forth, we would make all the necessary follow up visits and we would also visit the store if we were to receive a complaint.

Prosecutor Carter – I think it is also important to note, that will be handled in conjunction with the activities by our own Animal Warden.

President Holzheimer Gail – I know we do have a contract as the City of Euclid with the Board of Health, so is it fair to assume these services are included in that contract?

Ms. Short – Yes.

President Holzheimer Gail – It will be a two-step certification or permit process. One with the Board of Health and one with our own Animal Control office. Ms. Mills, you said it was an annual process they would have to re-apply annually to make sure?

Warden Mills – Yes. Every year they have to pay the fee for the license and we have this extensive check that we go through. Plus, I'll be stopping in there quite frequently.

President Holzheimer Gail – Like many of our other programs, any call, either by a resident, by someone who stops into the store, or if somebody from the city would then have a follow up or inspection?

Ms. Short – Yes.

Councilwoman Jones – Some of my questions have already been answered because I did have a question about the process as far as inspection process. My other is a knit-picky thing on the wording. On the first page, 505.04, the fifth line down where it states, and standing regulations for, I think the words “and the keeping” need to be taken out. It should read, and standing regulations for housing and sale of pets in a commercial facility. Or am I reading something, or is something supposed to be specified differently than that? Right now it states, and standing regulations for and the keeping housing and sale of pets in commercial facility.

Prosecutor Carter – The wording could be adjusted to make it flow.

Chairman O’Neill – We’ll consider that a typo. I have a couple of questions. Does the Board of Health have their rules and regulations online so members of the audience or whoever is watching can tap in and pull those up? If you do, could you give them the venue to get to it?

Ms. Short – Of course, yes we do. Our website is, www.ccbh.net. The program is called the Animal Venue Program. All of the documents that you would want to reference can be found there.

Chairman O’Neill – That would be this document?

Ms. Short – That’s the regulations and yes it is posted on the website.

Chairman O’Neill – Those of you that want to follow up and have the ability to go online and pick up those regulations. The other question I have is, what from the city’s standpoint, this is to Jason Carter, what can the city enforce as far as pets being sold and not sold? Do we have the authority to do that?

Prosecutor Carter – If you could clarify the question.

Chairman O’Neill – Can the city enforce a pet shop to not be able to sell a cat or a dog?

Prosecutor Carter – If you’re asking if there can be just a blanket prohibition from selling?

Chairman O’Neill – Yes.

Prosecutor Carter – I think that would be a difficult prohibition. We’ve done some research on it and we’re not sure at this time it would stand constitutional challenge. So we believe that prohibition would be difficult. Most prohibitions that a municipality employs have to be tied to the police powers, health, safety and public welfare. It would be at this point, in our estimation, an uphill battle to create a law that prohibits the sale of any pet from any owner that hasn’t shown a propensity to affect health, safety and public welfare.

Chairman O’Neill – To Mr. Barsa, is there any rule of thumb or a law as to the age of cat or a dog, when they can be sold?

Sanitarian Barsa – There’s not in the County ordinance, in the County regulations. There was two other points that were brought up as far as medical care. If there are sick animals, we do require veterinary care and they must produce documentation that is taken care of. As far as what else was brought up, there must be a written inventory as far as where those animals did come from in case there were issues. As far as the sale of the animal and the age, we do not have any control over that. Obviously an animal should be weaned but we don’t enforce anything like that.

Chairman O’Neill – Ms. Mills, could you answer that, would that be better in your territory?

Warden Mills – As far as I know there is no State law. A lot of people like to think 8 weeks, but I found out recently that there is no law. You would think it would be a weaned animal, on its own, able to eat and drink.

Chairman O’Neill – It has been a long time since I’ve had a dog, but I remember when you got it from a breeder, for some reason six weeks was a figure in my head and I’m not sure if that’s still appropriate. If there’s no other questions from Council, I’ll open the floor to the audience. Step to the podium, turn the mic on, state your name, address and you’ll have five minutes.

Ms. Marlene – Macedonia. Thank you for allowing us to be here this evening and to speak to you. I will try and keep this short. It is a lot longer than I anticipated. Ohio Advocates for Companion Animals, OAforCA, has already shared with Euclid City Council members via email our recommendation to ban the sale of puppies and kittens in a new pet store. We understand that this type of legislation could not be enacted overnight. However we will continue to urge the City of Euclid Council to follow in the footsteps of other cities that are accepting responsibility in joining the animal welfare movement to reduce pet over population, the needless killing of healthy animals and promote responsible pet ownership. By establishing an Animal Advisory Committee, the City of Euclid can begin to take positive steps towards the goal of no more homeless pets.

I appreciate the Cuyahoga County's regulations however they do not address the concerns that the animal welfare movement has and that's the pet over population program. A pet store in your community will contribute to that problem. I have been involved in animal welfare for 20 years. When I started the local pound and your shelters and a few handful grass root organizations were the ones that handles the overflow of animals. Today there are thousands of shelters, pounds and rescue organizations and still cannot handle the overflow of animals. If you call a shelter or rescue they'll probably tell you they are filled to capacity. In the spring, try to get a homeless cat or kitten into a shelter or rescue. If you don't want it killed by the time it goes into the door, your chances are slim that someone can help you.

Pet stores thrive and make huge profits on selling cute puppies and kittens to impulsive buyers. Pet shop owners are only interested in making money. After all, they are running a business. They are not primarily concerned with educating buyers and properly caring for their pets or taking responsibility for their well being. Since pet stores do not have a return policy as rescue groups do, some of these purchased puppies and kittens will be dumped in the local shelter. These ones cute, furry, fluff balls are now awaiting a death sentence.

Backyard or commercial breeders capitalize on offsite sales area which disguise dark grim conditions these animals often come from. Two often companion animals bought in pet stores are ill, with preventable diseases that cost the new family unforeseen expenses and have behavior issues stemming from their neglected past. An informed consumer is one that will be able to best care for their companion animal through its life.

Today we have low cost spay/neuter programs, mobile clinics and early spay/neuter of puppies and kittens and still we are not ahead of the problem. Unfortunately pet stores counter act these problems by selling unaltered puppies and kittens. This only exasperates the pet over population problem.

There have been aggressive programs to reduce the number of unwanted animals. We are still not even close to where we need to be. Roughly 5-7 million are killed every year in our shelters. Even these numbers are only estimates. If we are to become a humane society we all must work together to end the needless killing of healthy companion animals.

We are beginning to witness more local governments stepping up their animal control policies to help solve these problems. For example, in March 2010, Commissioner Shelly Van of West Palm Beach Florida said, as a community we are judged on how we treat children, elderly and animals. It is on my conscience a bad thing to know of that we are allowing so many animals to be killed. I don't want to put people out of business, at the same time we are spending a lot of money doing the wrong thing. At least two cities across the country recently approved the banning of the sale of puppies and kittens at pet stores. But County managers say those laws are yet to face legal challenges.

October 2010 in Richmond British Columbia, Marcy Moriarty of SPCA says, no animals welfare organization

Chairman O'Neill – You're time is up. Possibly someone else could continue.

Ms. Katie – Mentor. Most places are trying to open pet stores to sell puppies and kittens for the profit of making obviously lots of money and that's the only thing that's keeping the doors open. The City of Willoughby after Cleveland Puppy closed down, I'm sorry I don't know the ordinance number, they have changed their ordinance that they will not let stores open that are surviving solely on the sale of puppies and kittens. They have to survive on other things and not keep their doors open with the sale of puppies and kittens.

Recently the City of Mentor, somebody tried to open a pet store at the mall. That was shot down. Petland is now close in the City of Mentor. With the Planning Commissioners that are there in the City of Mentor now, no pet store will open with the sale of puppies and kittens. There's to many unwanted animals out there. If this store really wants to help out, I have an animal rescue organization. I'll come there and have adoption events if they want to have and help the public educate in having puppies and kittens in their home that they don't have to buy them from puppy

mills. 99% of puppies that are sold in puppy stores come from puppy mills which I'm sure everybody knows about a puppy mill, I'm not going to educate you any more on that.

The conditions of these puppies, you've seen plenty of pictures, I don't need to tell you any more about it. If they want to help out, fine. My rescue can come there and have adoption events and educate the public and get some of the puppies, kittens, dogs and cats homes. Thank you.

Chairman O'Neill – Just kind of sitting here thinking and I'll throw it out and you can chew on it if you will, but what if a pet shop didn't sell cats or dogs, but yet they reached out to the shelters in the area and they got pictures of them and they kept a file of pictures of the dogs and cats and different shelters. For a handling fee they assisted the shelters in the sale of cats and dogs that provides a service to the animals, the shelters to get those animals in the hands of wanting owners. They have a business, they would have some type of profit from that business, yet they wouldn't have to raise them. It is just something I'm throwing it out there for those that want to think about it. Just a thought.

Ms. Patrice – Euclid. I'm a homeowner and a business owner and I'm horrified to know that a business like this would open in the City of Euclid. I think it makes us look as backward as any city. I have a hard time promoting my family business, Beachclub Bistro in the city because people don't want to come to Euclid, they're fearful of the city, they're like oh Euclid, kind of, I can't even explain it. It is sort of like Leave it to Beaver and we're stuck in a time warp.

We are not progressive thinking but this is an area where we can show ourselves to be progressive and forward thinking. Puppy mills are horrible, we know that these pet stores do not get and I'm saying in general, if someone can prove to me that they're getting this from a legitimate breeder they would not be selling these dogs at the prices they are.

I personally have met four dogs purchased from the store on 185th Street, I don't consider this a personal attack. One dog I did pet sit. She was a great little dog but horrible breeding. The three other dogs I met while I working at a major pet, I don't want to say pet store because it is not a pet store, but a major corporate supply store in the area when I worked in Mentor and I was a dog groomer. I groomed three dogs that came from this facility. They were very young. One was loaded with worms. One was infested with fleas to the point that we had to repeatedly shampoo the dog, the dog had to get several treatments. It was sick from flea bites. I will tell you and although this is anecdotal evidence, this is a true statement. The four people that told me about these dogs, I said where did you get them, they told me. I said oh my gosh you bought them from there? They all said to me, I had to rescue the dog. I saw this dog there a month before or two months before and I went back and the dog was deteriorating. Yes, I paid \$300-\$500 to get this dog out of this shop to save its life. How insane is that? I have my Annie at home, my basset hound who I got from the Euclid pound ten years ago who is a wonderful animal and I believe \$45 or whatever the cost was to cover her.

The other thing is, when I worked for this major pet supply company, what you need to know to address your question concerning can people offer these dogs up for adoption for a fee. No, they don't do that. Any of the big stores do not do that. They don't charge a fee. In fact they have foundations that when I worked at this shop in Mentor, animal protective league, all the different groups would come in. If we did have cats that were up for adoption that were kept in the store because we were able to care for them. No dogs, the dogs would come in at a certain particular time, the cats didn't stay there all the time. But, when these animals were adopted via the agency the store also contributed an additional \$40. So is this pet store going to be willing to do that? Are they going to say, sure bring your animals in and offer them up for adoption and we will not only let you do that, we will put in an additional \$40-\$50 towards your organization. That's how a real business does it.

As a business owner in Euclid, I know there are very strict standards and we adhere to those standards in our business. But, I do not believe that there is adequate rules and regulations that are going to be enough because this is a life, these are small animals. Often when you said six weeks, no one should get a dog at six weeks old. They're not adequately weaned until at least 8 weeks and the normal time for adoption, a healthy time for adoption will be 12 weeks on a dog. I know this. I've been in the business for several years. I know this. I work with rescue people, I have many friends and business associates in this business. You do not need a tiny store to sell feeder animals. There are plenty of feeder animals out there. You can go to many shops in the area. Euclid doesn't need this. This will be stain on our fragile reputation as it is. We're trying to build ourselves as progressive thinking. This is a total, total black mark on any type of progressive image we want to have. Thank you.

Ms. Lucy – Painesville. I actually want to finish Marlene's speech. She wrote, the proposed legislation is a weak bandage on a large wound. I am familiar with other animal legislation that proposes to protect the animals but in reality does very little. This legislation does not demonstrate a vision for the community or responsibility to the animals in the City of Euclid.

Madeline stated in her email, that should be enough for now. I do not agree. It should never be thought of as enough when lives are at stake. In closing that as you allow the store to continue with the sale of puppies and kittens you also put other animals to death as you are not encouraging your community adopt from your own local shelter. This is an opportunity to make a difference in the lives of the animals and the lives of unsuspecting pet owners who are not informed about the problems of buying a pet shop animal. People with sight see things as they are, people with insight see things as they could be. Please have the insight to be a more humane community and implement an animal advisory committee and begin taking positive steps forward for the animals in the community for which you serve.

I also want to address what you had mentioned about what if pets were offered for adoption in this particular store. I will actually give you a copy of a letter that we wrote to the owner of this pet shop. It was returned to us, we sent it certified. It was returned to us unopened and unclaimed.

We did tell her that we did not wish to put her store out of business but we wish her to stop selling animals. Instead we would like to work with you in helping your store becoming humane pet store and allow rescue organizations to partner with you and showcase their adoptable puppies and kittens. We went on to say that there is an actual program called the Puppy Friendly Pet Stores Pledge which the Humane Society does promote. Basically it will give her local as well as national advertising for her business if she would choose to sell pet supplies only.

In the letter we had written it says, in closing let us say that we are hoping that you will see that going humane is the right thing to do and we will support you and do everything we can to ensure that your store receives public recognition for making the humane choice. We believe this option is a win/win for you, your store and all the homeless animals that you will ultimately be helping them find forever homes. We went on to say, if you wish to discuss this further and we gave all of our contact information to this woman to contact us which she never did. I'm not quite sure if your wonderful suggestion would even be an option for this person.

Chairman O'Neill – I appreciate your words. This is fairly new to me and coming to Euclid offers a new step, possibly some new dialogue that maybe with a third party that can intervene and bring you folks together with the potential store owner. I don't know that person. It is a business coming to the City of Euclid, I'm very pro-business. I think there's room for compromise. If cool heads sit down and prevail that maybe we can come up with something that's agreeable for the pro-pet folks and the pro-store folks. Certainly we'd be willing to get from a council standpoint, try to work with all parties. If there is anyone else that would like to speak?

Ms. Amy – Cleveland and I am the Executive Director of PAWS Ohio. Very briefly less than 5 minutes because everybody else has covered very good points. This weekend, PetSmart is putting on a major adopt-a-thon. They're giving \$35 per animal that is adopted out of their stores over the weekend to subsidize what we're going to do. What we're going to do is 11 shelters and rescues from Akron, Lake County, Cleveland Animal Protective League, Kitten Crazy, PAWS, 11 of us are all coming together and we have set the adoption fee for adult cats which I'm sure Ms. Mills will probably go holy cow how can you do this. We can only do this, have a \$14 price on the adoption fee of an adult cat because PetSmart charities, PetSmart is going to subsidize and give us another \$35. So because of Valentine's day, we have to come up with all of these promotions, all of these people behind me will tell you that we're coming together and collaborating because we want a day where there's no more homeless pets.

All of our animals are spayed and neutered prior to adoption. To adopt out an animal for \$14, a cat for \$14, that rescue that shelter loses money but an animal gains a home and we don't have to put down and euthanize healthy, happy pets because of space and because they get ill because they're too crowded.

If you want to look at the press release it is on PetSmart charities facebook page. It is also on the Cleveland Animal Protective League page. I believe Donna Miller will probably carry it in Friday in the Metro. The idea of partnering with a pet store is not new to anybody here that is in animal welfare. We will sacrifice monies on behalf of animals, will they? That's a question. Thank you.

Councilman Van Ho – I do have a question, somebody talked about the neutering of the animals. Would it be possible to put in some type of an ordinance to require any pet store that does sell animals that they shall be neutered before they are sold?

Prosecutor Carter – That is something we can look into but I don't have an affirmative answer to that at this time.

Councilman Van Ho – I wish you would because the feeling I'm getting is we don't have a whole lot of room to move on this thing without getting the possibility of a law suit from people who want to open a pet store. I'd like to be pro-pet but at the same time I also have to look at the concept of what a law suit could cost us very quickly. If we could look at that, that may not be the be all, end all, but it will do a couple of things. It should stop any unwanted pets coming from those animals number one. Number two, it puts the pet store and our animal shelter on an even footing. Because right now our animal shelter has got the additional expense of getting the animal spayed and neutered. Why would they go down there and buy a pet when I can go to this place and get it \$50 or how much is it Ann? \$80. Other than the concept of I believe in our animal shelter. If I just want a pet for my little kid and I'm not real hung up on where it comes from, I'm going to buy the cheapest and it may also discourage them from having animals in their store.

Chairman O'Neill – Unfortunately I think many times people don't do their due diligence when it comes to purchasing a cat and a dog and they find out it is more work than they thought. Unfortunately the cat or dog is either released or it turned into a shelter and that's why we end up with the problems that we have. I'll defer to former councilwoman Fay Miller.

Ms. Fay Miller – I have a point of clarification to make. Euclid Petpals pays for the spaying and neutering. The City does not pay for it. The money that they collect for the \$80 and the \$70 for the pet, goes straight to the city to be used for other things for the shelter. But the actual spaying and neutering Petpals pays for the full amount.

The only thing I want to add is I've had six dachshunds and one of them I purchased at the pet store that we had at Euclid Mall, many, many, many years ago. That puppy didn't even live two years, its spine went on it. I had to put it down. The reason was because of the breeding, inbreeding.

Councilwoman Jones – One of the speakers mentioned about some restrictions in Willoughby and Mentor and Mr. Carter is it possible that we can check those cities as far as what their ordinance as far as regulating the selling of dogs and cats? If that is something, I know the question was brought up, can we regulate the pet store that cannot sell dogs and cats and can we look at these two cities and see if they have regulations to that effect and is that something we can use?

Prosecutor Carter – Yes we can look into it and see if there's regulation. Ultimately our question or our pause is not whether or not we can write and draft and pass legislation but whether that legislation will pass challenge and will pass legal challenge. We will most definitely look into it and see what they've drafted but I think we may come back and circle the same tree and determine that we still maybe drafting something or they may have drafted something that may not pass legal challenge.

Councilwoman Jones – In your conversations with these two cities determine, ask them did they have any feedback or outcome from that regulation that they had drafted.

Prosecutor Carter – Absolutely.

Ms. April – North Olmsted. I have a question for the Humane Animal Officer. If there is a complaint filed about inhumane condition of a dog let's say, how quickly will you respond to that?

Warden Mills – I would respond right away.

Ms. April – What if there was a complaint everyday done about inhumane care of their animals? Would you go there everyday and be prepared for that?

Warden Mills – I go on every complaint in the city.

Ms. April – Let's say they don't fall through with treatment of a sick dog, is City of Euclid prepared to cover expenses in removing the dog from their property and treating the dog in the animal hospital?

Warden Mills – That would be a legal question.

Prosecutor Carter – I would have to double check the code section but I believe we have a provision in place that allows for the removal. I say that with caution and I'd have to confirm that but I do believe we have a provision under our humane ordinance for our animal warden that provides for that.

Ms. Short – That might be a combined effort sort of thing because if an animal is sick and the illness that the animal has is transmissible to humans, then we have some authority in that situation as well. According to the animal venue regulation they would be required to provide veterinary care, the owner of the store would be required to provide veterinary care. If we had to go down that road and the owner didn't provide veterinary care, then we would work with the city because the city has adopted that and we would take legal action if it got to that point. We would work with the owner to do the right thing and move in a forward direction.

Ms. April – For the City of Euclid to make a decision not to permit the store to sell pets. I would love for the city to have a link on the website for its residents to link them to places where they can purchase a pet from and post a final decision why you did not agree to Euclid selling pets and why you are directing the residents to local rescue groups or shelter. With information of prices and addresses of local humane rescue groups.

Chairman O'Neill – Council President Holzheimer Gail, can you comment to that, I'm not sure if the city can publicize that on our website? That might be a conflict or Mr. Carter.

President Holzheimer Gail – They're not businesses, they're non-profits, charitable organizations for the most part, if I'm not mistaken. We have links to other charitable organizations. I'm not a legal expert by any means. I would assume we would be able to provide that type of information, but I would have to defer to the Law Dept. as well.

Prosecutor Carter – To the initial question that was asked as to whether or not we would be willing to seize the dog, we have provisions within our code that allow us to do that. Either with the pure authority of the officer or through Court Order so that would take care of that. Secondly on the issue of what we can put on our website, I would have to look into that and get back to you.

Chairman O'Neill – It is a bit of a gray area. Lisa Mayernik in the Mayor's Office would probably have a better idea of what can or cannot be put on there.

Professor Ted – Cleveland. I was asked to come here tonight, where my red shirt and not speak. I was a combat pilot in the United States Air Force. I also had a secondary duty as a dog handler. I'm an engineer on the dog rescue railroad. It sounded a little bit like we're not prepared. I'd like to give you just some information that in your spare time perhaps you can do a little research to be prepared.

I went to Cornell School of Hotel Administration. Graduate School in Hospital Administration. There was a classmate Dave Dunfold. Dave had a miniature schnauzer named Mattie, and he made a promise to Mattie. Said if I am successful I will take care of your homeless animals. He developed people soft and he sold people soft and has given \$300 million and you can go on the internet

Chairman O'Neill – Professor, I have to caution you, you're kind of getting off the agenda and try to stick to the ordinance that we're speaking to please.

Professor Ted – I would hate for the City of Euclid to make a mistake.

Chairman O'Neill – I appreciate that.

Professor Ted – If you go to cornelalumimagazine.com and read Shelter Me. Dave started with the Cornell Vet School and has given \$70 million so far. Take a look at Shelter Me, there's just four pages and it gives you a good background and statistics on the homeless animal problem. If you want to measure his influence got to Baron's on Google search, Baron's and read about the 25 most effective philanthropists, made the last cut he's number 25. You'll see the kind of people that he's with and it will clearly tell you what the problem is. It is a real mistake if you let them sell puppies and kittens.

Ms. Tara – South Euclid. I just wanted to speak to the negative PR and press the City of Euclid would receive if this goes through. I think I can speak for everyone here who is opposed to this pet shop opening. There's no boundaries when it comes to city lines. We won't let this happen in our

virtual backyard. I think we've proven being integral in getting Pet Land closed in the area, the three Pet Lands that recently closed in the area and also Adriatic on 185th. We will keep educating the public every weekend in our spare volunteer time as long as we have to until it gets shut down. I ask you to please be pro-active in not letting it open to begin with so we can use our volunteer time to continue to help the homeless pets that are in our city already.

If you wanted to see a model for an adoption friendly pet store, Amy spoke to PetSmart and also PetCo. They have adoption centers there where we have a huge list of cats waiting to go there to be seen, to be applied for, to be adopted. I'm with Close to Home Animal Rescue, PAWS. Like Marlene said, even if there were a million shelters and rescues in Cleveland it wouldn't be enough because there are so many homeless animals. If cats and dogs are sold from this pet store unaltered the chances are they will pro-create. The gestation period for a cat is about 65 days. One cat and her kittens over 7 years can have 420,000 cats. Every animal that is adopted out that is unaltered is really contributing to the problem, it is not going to help solve anything. All of us here, we work paying jobs and then our volunteer time, our free time is spent in rescue and we're very passionate about it so it became an ethical and moral obligation. It is not just about the legality. I hope the City of Euclid will see that. We get up to 20 calls a day from citizens and pounds who need to place homeless animals because either they have to euthanize for space, healthy, young vetted beautiful cats and dogs, kittens and puppies, or citizens who find them stray and we have to turn them away. If you called every shelter and rescue in the 5 surrounding counties including Cuyahoga, nobody has an opening and it is because of all the homelessness.

As far as public safety, when you adopt through a rescue, we have volunteers who foster in their homes. Those animals are completely vetted. These volunteers get them to the APL. I'm going in the morning before work to drop off a cat. To an APL or a vet to be completely thoroughly examined by a reputable vet, vaccinated, tested, spayed and neutered. Also these animals are socialized in these homes. We can tell potential adopters if they're good with kids, if they're good with other cats and dogs, if they're good with men. Often they're afraid of men because much, no offense men, but most of the abuse comes from men.

As far as the animals that would be sold from a pet store and 99% of them are from backyard breeders or puppy mills. We have had many of these breeder dogs in our rescue. They're paws are splayed, they're afraid of grass because they have only ever touched a wire cage. They're backs are hunched because they can't stand up, they're devocalized with pliers so they can't bark. We've seen it all so please, please, please as the City of Euclid don't contribute to that, please. Thank you.

Councilwoman Scarniench – Euclid's requirements says that every animal has to be checked out by a vet, is that correct? Is that part of our rules?

Warden Mills – For the pet store? I believe they do, every animal has to be vetted.

Councilwoman Scarniench – And we have to have documentation that says that?

Warden Mills – Yes, I believe we do have that in the new one.

Councilwoman Scarniench – Question for Fay. We have a website, do we not? On our website do we put other shelters or rescue groups, Petpals website?

Ms. Miller – Yes it is Petpals website and it is euclidpetpals.net. We list all of the animals that we have available at the shelter, dogs and cats.

Ms. Pat – Euclid. I was a business owner in the City of Euclid for 16 years. I am very well aware of working with the City of Euclid on many ordinances. I just want to tell you, I was an uneducated consumer. My mother lost her beloved schnauzer after my father past away and she was in such a deep funk, I took a day off of work and took my mother everywhere looking for another schnauzer to replace her other one. Unfortunately I ended up on 185th Street. My mother, six little schnauzers are running soaking wet down the little corridor. My mother fell in love with the one and my sister and I looked at it and said okay mom you want this and she said yes. She got little Maggie. Took Maggie to our vet here in Euclid and the fun started at that point. I feel guilty to this day that my mother spent so much time, so much energy and grieving a dog that she just lost a little awhile ago. The dog got Cushion's disease, was blind. We took it to Ohio State, we went down to Akron, we went everywhere. My mother spent so much money, but she was bound and determined to give that dog the best life it ever could have.

Maggie bled out on the floor. Now, I also have three dogs and I was fortunate enough to get a little dog, I lost my Jack Russell. I said to my husband, no more dogs, no more dogs, just the two we have. We walked into PetSmart and Marlene's Voice which is a rescue was there with the dogs.

Toby came up with me and I fell in love with him and my husband was back getting some fish. I picked up Toby and I said, and he said no, and I said okay we'll take him. We had to go through an adoption process. You probably could have gotten a child faster than this dog.

We adopted Toby and Toby came from the Trumbul County raid of 156 dogs that was kept by a hoarder, there were dead dogs by her bed. Little Toby and I named it after Dr. Cosgrove from Cleveland Clinic because I exercise with him and he eats everything that I eat, bad stuff. But I have taken him for 14 weeks of obedience school because he had issues. I've made him a good citizen for Euclid.

I really don't think we're doing ourselves any justice by letting this store move their tee-pee over the border into our area. We don't need the hassle. We don't need the bad publicity. It was really poorly run. You really should look into their finances too.

Ms. Angela – Euclid. Homeowner, taxpayer and voter. The sale of pets contributes to pet over population. Pet over population denigrates the quality of life of our communities. The health standards, the financial well being. We applaud and appreciate everything new business brings to the city, especially small family owned businesses. However, do not see pets as a viable product because if you look at the long term effect of selling pets in our community, absorbing them, the expense and the lack of quality of life that it will bring, it is simply not worth it. Thank you.

Ms. Lynn – Euclid. I think our community should be the last community that should be considering opening up a pet store because we have the shelter. We love the shelter and we all know that it is not easy going there. Even if there's one animal, a gerbil, anything that was bought at a pet store that could have been adopted because we have all kinds of things, alligators from time to time, any little thing at the shelter. We can't afford any competition not that they would be.

When I moved to the community, not long after when we had the Euclid Mall and we had whatever pet store was there and I remember it closed because they found diseased animals in the garbage. I remember thinking what a horrible thing, how can this happen. Now I've been here about 25 years in this community, I mean to go full circle and have maybe another pet store, it would be a big step backwards for us. I'm looking for a reason to be proud to live in Euclid and for me it is the shelter and the fact that we have so many people that give a damn and we have Ann that's there 24/7. Even though she acts like she's tough she's a softy. Please, this is the last thing that we need. I know we need business, commerce, I understand that, but I think it would be a black mark against us and it wouldn't make me very proud. Make me proud.

Chairman O'Neill – A few of the folks that happen to be Euclid residents mentioned about looking for things to be proud of in Euclid and I can assure you there are many, many things to be proud of in the City of Euclid. This is something we're just discussing and we will look at both sides of the issue, make an educated, informed decision as to which way we're going to go with it. Council President could off the top of her head name about 30 things that are happening that are very positive in the City of Euclid. I take a little offense when I hear that as I'm sure my other colleagues as well. This is one issue and we will look at it and we will look at all facets of it and we will make a decision based on input from both sides. I appreciate all you folks come up and have your say. If anyone else would like to speak the floor is still open.

Ms. Linda – Cleveland. I'm also the foster coordinator for Forever Shitzu. Last Wednesday I ended up putting my little Shitzu down, he was 5 years old, he came from a puppy mill. He came out of the puppy mill with his eye so infected it was ready to burst. Then we got that straightened up and he had a couple of good years and then he got hemolytic anemia. We fought that for a long time, he almost died twice from the hemolytic anemia. Then he came down with a kidney disease from all the medications to save him from the other. So he had to be put down. This is a puppy mill dog. This is what typically happens. I spent in 2009, I spent \$2,000 towards the end of it. In 2010, my vet bill was \$3200 and that doesn't include the medications I had to buy offsite and I'm probably up to \$1,000 in 2011.

This is what you're going to bring to Euclid to these people because this is what is sold in pet stores. She couldn't afford to sell a quality bred dog in a pet store in Euclid because to buy one just straight from the breeder, it is \$1,000 or more. She can't do that. She's picking them up, pet stores are picking them up, \$25 to \$50 at the puppy mill and they're turning around and selling them for a couple hundred dollars. They have not been socialized at all, they have not been checked, their parents have not been checked for any kind of diseases while they were being bred. The mothers were bred nearly to death. We picked them out of the puppy mills and those dogs like they said before, cannot touch the ground, they are terrified, they have just been kept in a cage. Stacked on top of each other, the one on the top voiding on the one below and so for and so on and into their food dish and this is where the puppies come in with these parents. T

This is not a service you're going to want to give to the citizens of Euclid. If you check with the Franklin County Animal Shelter, you will find that since the advent of the puppy mills and all the dogs coming out of the puppy mills in the State of Ohio, their expenses have gone through the roof taking care of puppy mill dogs because people turn them in for health issues and behavior issues. It is not going to be a business that is going to be productive to the citizens of Euclid. It is not going to help your tax base, it is going to cost you more money than you'll ever get out of them.

Ms. Susan – Euclid. This is not something I normally do but I was watching this on TV so I had to come up. I have a file right here.

Chairman O'Neill – You're supposed to wear red.

Ms. Susan - Listen I ran out of the house so fast I still have my pajamas on. I don't want anybody to go through what I did. I had two dogs from this store we're talking about. The first one for two days could not even walk. All of a sudden it jumped up like a reindeer and started running in the yard because it was six months old and I felt sorry for it and got it in a cage but it past away. I felt sorry for myself because the dog past away and I went and got another one. The dog had health records and I have all the health records and everything to back it up, supposed to be healthy, died within six days of Parvo. I took it to the vet, it was supposed to have all the shots, everything, the shots were late. Went to small claims court. Small claims court, we won, they did not give us any money in small claims court, I actually called the woman herself and she said my mother is sick, I don't really deal with the store, I let people run it for me. How do you run a business like that?

In this file, I not only have that and anyone is welcome to this file. I have, she must have 14-18 liens or law suits against her business through Cuyahoga County. You can look on their website. You can go through there. Everything is in her. She has never paid one of them up. She says she doesn't have the money.

Chairman O'Neill – I have to caution you on any personal.

Ms. Susan – I also have if you look on the Cleveland site, she's being evicted on her place at 185 because she did not pay her rent.

Chairman O'Neill – Please just say the owner.

Ms. Susan – The owner, the owner. So if you guys really want to look into something, if you want something to look into, reading material, I welcome to give this to anybody. My dog that I had for six days that died, I bought him on a Friday, by Monday it was diagnosed as Parvo, ran him up to my Vet, which is doesn't matter. They put him in an incubator. I end up paying over \$1500 for this dog and we won small claims and she wouldn't even give us back our \$490 we paid for the dog, tell us she's broke.

This has happened numerous times, over and over. I actually went onto Craig's list and I just put in an ad, do you have any information good or bad about this place. Nothing, asking good or bad. Every email I got back from people that worked for this store, is in here and you're more than welcome to read them. As to where people who worked there and I can't state it as you said, sir, but you're welcome to read. Everything is in my file and as you can see it is as big as the yellow pages. This just started happening the end of last March. I'm just saying, if you can't run your dealership one place, why are you going to take it some place else and drag somebody else down. Euclid is coming up. Look at Shore Center Drive. Shore Center Drive look absolutely beautiful the way you guys have done that up out there. I don't want the trash that was on another street to become something else, another eyesore in the City of Euclid when we're trying to build our city up so much right now. I've lived here for 14years and I want it to keep going up, I don't want it to go down. You guys are working up right now, but don't let it go back down. Anybody that wants this is welcome to it.

Chairman O'Neill – We have a few more minutes then we have to adjourn the meeting for another meeting that starts at 8:00. If anyone has more comments, please step up to the podium.

Ms. Debbie – Mentor. I'm new to speaking. I just want to touch on a couple of things that kept coming up on the documentation of these animals. The documentation that comes from puppy mills is non-existent. It is based on puppy mill breeders who will draw up whatever they can, whatever they want, they'll say what they need to so that the consumer feels that they are going to get a dog that's a pure bred and it has documentation behind it and it doesn't. These dogs are brought to these pet stores via however they're going to transport them. These animals are bred by over and over

and over, so many times the female dogs, that these animals, there is no documentation to show that they're pure bred. It is a fallacy.

I would like to know how would you go about checking this documentation and being able to almost track it to find out that these dogs are truly what these pet stores are saying that they are, which I don't think you can but I'm all for it if you can. The puppy mills, they just breed that's all they do. That's what they do is breed as many as they can and I don't know how many of you maybe have seen the puppy mill documentary from Pet Land and that's truly what it is all about. It is just mass breeding. They sell them to these stores that are looking just to get the profit. So the documentation is something that I would like to know how the City of Euclid would be able to enforce that and trace that back. If you were to get it from a reputable breeder you'd be able to trace it back without a problem.

Ms. Short – Ann, you might want to comment on this as well, but I just thought I would clarify. I'm sorry, I don't want to take up your time, you finish.

Ms. Debbie – The other thing is, if the pet stores are really working for the animals, if they're looking to do the best for the animals, I go back to what you said, sir. It is an amazing thought to have these pet stores do like PetCo and PetSmart, if they're really looking out for the best interest of the animal then why not group together with us. I work with the Lake Humane, I'm a volunteer there and I put in 30 hours between Friday and Sunday. I am in the back building. I see, I work in the G building on purpose because I want to be there for all the surrenders that come in on every different level. I am so grateful for the pet stores that do want to work with us and the other shelters and the other rescues that take our animals and want to help us get them out. They're spayed, they're neutered, they're vaccinated and they're micro chipped before they even get adopted out by our facility and I'm sure others too.

I just want to make sure that were entertaining the same thought of doing the things by the animal. It is about the animals. It shouldn't be about people and money and all of this profit. I know that is what business is about, but it shouldn't be on an animal's life and the welfare of the animal just to make a profit. I don't think that is what Euclid is about and I know that, I'm hoping that's not what Mentor is about, I know we're not. I'm just hoping that we can get something together and we don't pass this as a pet store but as you said maybe we could do something to help these animals get a place to be from our shelters. Thank you.

Ms. Short – I just wanted to provide some clarification, an explanation I may have had about documentation that's in our regulation. The documentation that we require with the animal venue regulation as it pertains to animal inventories and where they come from. We maintain that specifically for trace back purposes if there was a disease event that we needed to look into. We can't tell a pet store where they can purchase their animals from. But if there's a concern, if there's a health concern that these animals have come from a place that is not properly caring for the animals, we can make that referral to the USDA. The USDA inspects all facilities that breed. It is a thought that they may not be aware of all of the locations that are out there. The more that we can provide them with that information, the more we maybe able to address the conditions.

Chairman O'Neill – We have time for one more speaker and then we have to adjourn the meeting.

Ms. Amy – Aurora. I would like to just briefly talk about the USDA and their inspection of commercial breeding facilities. It is very lax oversight. When they do find problems which is every time they go out, they're given a very long amount of time to correct them and often times they don't. All of that is public record, you can look that up online and you can see that these places continue to have major problems where animals are found dead, where animals are living without any protection from the elements, they're not being fed, they're not being watered and it continues. There just aren't enough inspectors in Ohio to handle the amount of breeders that are in Ohio. These animals, the intention maybe good for these animals to be checked on, but it is not happening.

Chairman O'Neill – She was short, so this gentleman will be the last speaker.

Mr. Jerry – Barberton, OH. I just wanted to touch on a couple of points. It was brought up to take into consideration about possibly working with local shelters and rescues that try to get these cats and dogs instead of going to a breeder. If this person opening a pet shop would agree to do that or want to do that, there would be some things that would hold them to a requirement that it can't be a cat or dog adoptions of an unknown rescue or unrecognized rescue that it be from a reputable rescue. So they can't try to bring them in from somewhere else and say that's a rescue and that's what we're doing. I think there should be a requirement if that's going to be put in place.

Where there's a small fee that is charged, the adoption fee. Believe me, I've done rescues for the last three years, it touches, breaks a third if you're lucky of what fees you have in the animal, cat or dog by the time it gets adopted out.

Also I have question as far as the violations. If a violation is noted, how many violations will be allowed before a license is pulled? Before a permit is pulled? How many violations will be allowed before the place is shut down completely because of continued violations? What will be the enforcement of them?

To many times laws are there but they're not enforced, they're not used to their full extent. It is a slap on the wrist and continuous, continuous and the profit outweighs the penalty and that's wrong and it needs to stop. Ohio is one of the worst States for humane laws for animals and that needs to change. A small piece of the world can change, it can grow.

As far as where the animals come from, it goes back to the review of this being done. If they're found they're from puppy mills and you get with the USDA and they say this is a place that you shouldn't be getting them from, is that enough to pull their license to have a pet store and have their health certificate for the animals? That's all.

Chairman O'Neill – The first question should go to Ms. Mills or Mr. Carter, how many violations before they get cited or possibly close down?

Prosecutor Carter – I will say there's no hard and fast rule, there's no number in the statute that provides for how many violations they must have. The way it works is if they fail to comply. That would generally be if they've been given reasonable time to comply and they fail to comply within a reasonable time, then they'll be issued a citation and they will have to come and respond to that citation. There was a second question?

President Holzheimer Gail – The second question was how are some of the violations enforced? How will we make sure this ordinance or the Board of Health regulations are enforced?

Prosecutor Carter – We touched on it a little bit, we definitely have the misdemeanor of the third degree penalty that is looming. There's also the power to go in and remove animals, impound animals, things of that nature. There are various penalties throughout our code, Euclid Municipal Code that qualify and I believe there are some provisions.

Chairman O'Neill – Does the Health Dept. have any procedures in place, or do they usually partner up with the Prosecutor's office?

Ms. Short – The way we've set this up with the City of Euclid to be more efficient and respond quicker than we would under normal circumstances. Because the City of Euclid is adopting our regulation anyone who fails to comply with the regulation can be handled by the City of Euclid's court system. Whereas if it was just within the County domain, we might wait a long time to be able to get it through the County Prosecutor.

President Holzheimer Gail – I think the tricky part is we have several issues in front of us. We have one piece of legislation here. I think it is important to make some of these changes regardless. We need to continue to investigate probably some tougher restrictions if we can legally. One of the questions that was raised was would we consider or would we start an Animal Advisory Committee. We have the Animal Shelter Commission that I think that would be a great place to start and work with them to look at Willoughby's, look at Mentor's, look at the other ordinances that have been passed to see whether they stand on legal ground. What we can do in those instances.

The other issue is a zoning issue. That is some ways separate although it is talking about a pet store. I think this ordinance is a good start, I think we still have work to do. I don't know whether could we do a temporary moratorium on selling puppies and kittens while we're working on it. We've done that in the case of used cars, we've done that in the case of internet cafes. That may buy us a little more time to discuss and look at whether we can do other restrictions.

Certainly I think it is important to adopt the Board of Health regulations. I think it is important to give our Animal Control Officer this authority. Those are both good steps. We've heard a lot of good information tonight that provides other work we still need to do. I for one would be willing to send this back to Council. We can tweak it if we need to at the Council meeting if we get other information in time. Otherwise perhaps we could work with our Animal Shelter Commission; rather than create a new committee, I think it makes sense to start with what we have and work towards some of those other issues that have been raised. I'm curious if Ms. Mills has any comments. This is a positive step in your eyes and would provide us with some extra protection?

Warden Mills – Yes, I think it is going in the right direction and I heard a lot of things that we still need to look into also. Yes, I think we're going in the right direction.

Councilwoman Jones – I do like all the comments that were made tonight in addition to the changes in this ordinance. I think it will cover even some areas that are in here that need to be clarified a little further anyway. I would like for us to pursue some of the questions that came up as far as restrictions and regulations that other cities have put in place and find out is that something that we can do. I would also like to see if it is possible and I would hate to see a pet store come into sell cats and dogs and take away from the facility that we already have that have a lot of dogs and cats that are there and waiting to be adopted. I would like to see if this ordinance is passed and we have some regulations put in place, I would like to see a partnership of the pet store and the animal shelter as far as taking some of those animals that are in the shelter now and getting good homes for them. I know that was discussed tonight and I would like to see about pursuing that as well. I do think we need to move forward with this ordinance and the Board of Health issues that we talked about tonight in addition to some of the other discussion that we had. Thank you.

Councilwoman Scarniench – I agree with our Council President. I would like legislation written up to provide us with a moratorium of one year to be on the Council agenda. That will give us the time to do all the research and to do exactly what we need to do to keep the animals in our city safe. That's what it all amounts to. I will read all the documentation that young lady has. It is important that we go ahead with this because it is good legislation and it is the beginning of changing. We've been doing that over the last few years. We've been changing zoning codes, we've been changing ordinances to go up with the times. We definitely need to do this but if Mr. Carter could do that moratorium legislation please, I would appreciate.

Councilman Van Ho – I'm going to look at our attorney and say that I've worked with attorneys most of my adult life and I know you guys can figure out how to do what we want done and keep us out of trouble. Please do it and for the benefit of the animals and for the benefit of this city.

Second thing is, if we allow them to come in and start selling dogs and cats before we have all these ordinances in place, do we risk losing because they were grandfathered in under the old ordinances?

Prosecutor Carter – Yes.

Councilman Van Ho – Okay, then I too will support some type of moratorium until we can get our hands around this because two weeks or three weeks, whatever we've had this legislation is not long enough to do it right for everybody.

Councilwoman Scarniench – Mr. Carter, could you please make sure that piece of legislation comes before this piece of legislation on our agenda?

Prosecutor Carter – Yes.

Chairman O'Neill – First of all I want to thank everybody that came here from outside the City of Euclid in support the animals. My eyes were opened up a little bit more, myself I'm an animal lover as well as most of our council persons and pretty much I think everybody up here. I didn't hear anybody from the pet shop unfortunately. I would have liked to have heard their comments and get their point of view. I think there's room for compromise here. I think Council has demonstrated that we will put a temporary moratorium on the sale of cats and dogs and get our arms around it as Councilman Van Ho said. I think that a cooling off period is happening. Possibly that new owner if the pet shop is to go in might reach out to some of you folks and come up with a compromise that possible can, not sell cats and dogs, but maybe through their store help adopt those animals that are in these different shelters, I don't know if that will work or not, I don't. I'm throwing it out there for thought.

Councilwoman Scarniench moved Ord. (231-11) to full Council with a recommendation for passage. Council President Holzheimer Gail seconded.

Roll Call: Yeas: Holzheimer Gail, Jones, Scarniench, O'Neill.
To full Council.

Councilwoman Scarniench moved to adjourn. Councilwoman Jones seconded. Yeas: Unanimous.

Meeting adjourned.

