

**BEACHWOOD CITY COUNCIL MINUTES OF THE LEGAL AND PERSONNEL COMMITTEE MEETING HELD ON MONDAY, OCTOBER 10, 2011 AT 4:00 P.M. IN CONFERENCE ROOM A, 25325 FAIRMOUNT BOULEVARD, BEACHWOOD, OHIO 44122**

The meeting was called to order at 4:12 P.M. by Chairman Saul Eisen.

ROLL CALL: Present: S. Eisen, M.M. Jacobs, M.I. Wachter  
Absent: None.  
Not Present: None.  
Also Present: Mayor Gorden, M.A. Cannon, W. Griswold,  
T. Turick, G. Smerigan, L. Mayerfeld, M. Taggart

Discussion of Farm Animal Ordinance. Mrs. Turick reviewed the request submitted by Ms. Mayerfeld which includes, but is not limited to:

1. One half acre or more to keep any fowl.
2. All animals must provided a covered coop.
3. Setbacks for coops remain the same as in the current Ordinance.
4. No farm animals permitted in non-residential districts.
5. Domestic farm animals, other than fowl only permitted on parcels of more than one acre.
6. No animal or bird shall make noise to disturb peace and quiet of neighbors.
7. Animals shall be kept only in conditions that limit odors, insects and rodents.

Ms. Mayerfeld stated that she bought the home in 2005 partly because the City allowed farm animals.

Mr. Wachter stated that the 2008 Ordinance may be less restrictive. Mr. Wachter asked Ms. Mayerfeld how many goats or animals would she want? The Cleveland Ordinance could have 11 on a square foot. Are you asking for 10 on an acre?

Mr. Smerigan commented on Ms. Mayerfeld's draft, stating that it says four animals per acre with an additional fence and one more animal per  $\frac{1}{4}$  acre. Mr. Smerigan also stated that this must be accessory to a residence, not like Mrs. Morrison. It must be somewhat limited.

Mr. Eisen asked why.

Ms. Mayerfeld stated that this helps children learn where food comes from. Goats are a source of milk for cheese. She feels that you should be allowed to homestead on one acre.

Mr. Jacobs stated that Ms. Mayerfeld's property backs up to the park, however, other properties on Community Drive back up to residents.

Ms. Mayerfeld stated she is very far from other homes. She agreed you can say no to roosters.

Mr. Taggart spoke about the City of Cleveland Ordinance which was developed over a period of months (about 14-16) to address its community's concerns. As a result, Cleveland allows farm animals on a parcel as small as 3000 square feet on a graduated scale. Due to the extreme vacancies of properties, they are allowing this by applying for a permit.

Mr. Jacobs asked about health issues.

Mr. Taggart stated that there is no difference from normal domestic pets.

Mr. Wachter asked about waste.

Mr. Taggart said you have to rely on sanitation. So far, there is no large livestock in Cleveland, only poultry, rabbits and bees.

Mr. Eisen stated there should be fences if goats are permitted.

Mr. Jacobs asked how much is the limited area?

It was stated that the City of Cleveland allows comments on their applications.

Mr. Eisen asked who monitors or polices these properties?

Mr. Griswold asked if the County Board of Health would be involved?

Mr. Eisen asked if Ms. Mayerfeld wanted anything beyond chickens, fowl and goats?

Mrs. Cannon inquired about waste and Mr. Smerigan replied the numbers are too large.

Ms. Mayerfeld stated that she wanted to keep one cow and three goats.

Mr. Eisen said that by winter, the animals will need a shed.

Mr. Wachter asked the representatives from the City if we want to allow anything beyond fowl?

Mr. Eisen asked why the need for an ordinance change because it is only one resident involved.

Ms. Mayerfeld circulated a petition and received support in the form of a letter from Community Garden Association President Betsy Saunders, endorsing her request.

Mr. Wachter asked if this happens elsewhere. Mr. Smerigan stated that usually it is people with larger lots.

Mr. Taggart stated that most of the time people want one or two goats and maybe a miniature horse.

Mr. Eisen does not mind trying it on a limited basis as a conditional use. He also stated that the Legal Committee will review it and respond back to Ms. Mayerfeld.

ADJOURNMENT

Moved by S. Eisen, seconded by M. Mintz at 5:15 P.M. to adjourn the Legal and Personnel Committee meeting to an Executive Session of the Legal and Personnel Committee.

ROLL CALL:	Yes:	S. Eisen, M.M. Jacobs, M.I. Wachter
	Abstain:	None
	No:	None
	Not Voting:	None

MOTION ADOPTED

Moved by M.I. Wachter, seconded by M.M. Jacobs at 5:18 P.M. to enter into an Executive Session for the purpose of discussing matters regarding the acquisition and disposition of public property, employment and compensation of personnel, pending and/or imminent litigation and collective bargaining.

ROLL CALL:	Yes:	S. Eisen, M.M. Jacobs, M.I. Wachter
	Abstain:	None
	No:	None
	Not Voting:	None

MOTION ADOPTED  
Mr. Goodman was also present.

ADJOURNMENT

Moved by S. Eisen, seconded by M.I. Wachter at 5:40 P.M. to adjourn the Legal and Personnel Executive Session until the next regularly scheduled Council Meeting.

ROLL CALL:	Yes:	S. Eisen, M.M. Jacobs, M.I. Wachter
	Abstain:	None
	No:	None
	Not Voting:	None

MOTION ADOPTED

Approved:

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Merle S. Gorden, Mayor

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Karen M. Navolanic, Clerk of Council