

## **REGULAR CITY COUNCIL MEETING**

The Edna City Council met in regular session Wednesday, March 6, 2013 in council chambers at 6:30 p.m.

**CALL TO ORDER:** Mayor Joe Hermes called the meeting to order at 6:30 p.m. Councilmember Justin Bonnot, William Selders, Maxine Price and Jean Sorensen were present. Councilmember Ray Chavarria was absent. City Manager Ken Knight, Chief of Police Clinton Wooldridge, Street Superintendent Steve Sample were also present. In the absence of City Secretary Becky Miska minutes were recorded by Administrative Assistant Margarette Wright.

### **APPROVE MINUTES OF THE CITY COUNCIL MEETING HELD FEBRUARY 21, 2013:**

Councilmember Sorensen made the motion to approve minutes of the city council meeting held February 21, 2013. Councilmember Price seconded the motion. All voted AYE. Motion carried.

### **HEARING OF VISITORS:**

*“At this time, comments will be heard from the audience on any subject matter that is not on the agenda. In accordance, with the Open Meeting Act, City Council may not discuss or take action on any item which has not been posted on the agenda.”*

Diane Guice addressed the topic of stray feral cats. Ms. Guice complained about the large amount of stray cats in her neighborhood. She stated she is unopposed to trapping and disposing of feral cats. Councilmember Price noted the council is in the process of investigating this matter and it will be discussed further during the meeting. Mayor Hermes stated that the council understands and are not arguing about the situation. We are setting out to do something but it will not happen overnight.

**VISITORS:** Diane Guice, Chris Lundstrum-Jackson County Herald Tribune

### **DISCUSS AND TAKE APPROPRIATE ACTION TO APPROVE THE SECOND READING OF ORDINANCE NO. 2013-02 AN ORDINANCE AMENDING ORDINANCE NO. 96-06 AND EDNA CODE OF ORDINANCES AMENDING THE ANIMAL CONTROL ORDINANCE ADDING DEFINITIONS AND CLARIFYING CERTAIN SECTIONS:**

Councilmember Bonnot made the motion to approve the second reading of Ordinance No. 2013-02 an ordinance amending Ordinance No. 96-06 and Edna Code of Ordinances amending the animal control ordinance adding definitions and clarifying certain sections. Councilmember Selders seconded the motion. All voted AYE. Motion carried.

### **DISCUSS AND TAKE APPROPRIATE ACTION TO APPROVE ORDINANCE NO. 2013-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDNA, DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR, CITY COUNCILMEMBER DISTRICT 1 AND CITY COUNCILMEMBER DISTRICT 2 AS ELECTED; PROVIDING THAT THE MAY 11, 2013, GENERAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A**

**SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCES WERE PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE:**

Councilmember Price made the motion to approve Ordinance No. 2013-03 an ordinance of the City Council of the City of Edna, declaring unopposed candidates for the offices of Mayor, City Councilmember District 1 and City Councilmember District 2 as elected; providing that the May 11, 2013, General Election shall not be held; repealing all ordinances or parts of ordinances in conflict therewith; providing a savings clause; providing a severability clause; finding and determining that the meeting at which the ordinances were passed was open to the public as required by law; declaring an emergency; and providing an effective date. Councilmember Bonnot seconded the motion. All voted AYE. Motion carried.

**DISCUSS AND TAKE APPROPRIATE ACTION IN REGARDS TO FERAL CATS:**

City Manager Ken Knight addressed the council concerning a Letter to The Editor that was in this week's local newspaper. Knight went onto say he does not want to capture, spade or neuter then release to the wild. Feral cats spread rabies, disease and are untamed. Mr. Knight went onto say the best option is for volunteers to trap, spade and neuter but there would still be a liability if people believe the city had neutered. Also, noted that according to the city's newly amended animal control ordinance "any person who owns, keeps, shelters, maintains, feeds, harbors or has temporary or permanent custody of a domesticated or previously captured wild animal; (the) animal shall be deemed to be owned by any person who harbored it, fed it, or sheltered it for three or more consecutive days." "Therefore, under the new ordinance, the persons who routinely feed feral cats may be deemed to be their owner and therefore assumes responsibility for the animals," Knight added. A discussion was held regarding the possibility of trapping and adopting out cats. Mr. Knight noted "I have colleagues who spent \$50,000 on a cat pound and they routinely kill 10 cats a week after a three-day waiting period. If we put out three traps a day I believe we would pick up three cats a day. But we would also trap some tame cats." Mayor Hermes said the city did not want to get into the business of killing cats. It was suggested that the city consider spaying and neutering them, which council decided could be a liability issue for the city. "If the City should get itself into the cat management business, then the obvious and logical outcome will be the killing of cats. Feral cats of more than 20-30 days old are unadoptable and untamable. Once the City starts trapping cats the City is going to have to start killing cats. Also the City is going to have to make a large investment in the construction and maintenance of a pound for cats. Cats cannot be kept with dogs or in dog kennels." Knight added. Councilman William Selders said the best thing would be if a volunteer organization was formed to spay and neuter stray cats in the city and suggested the subject be tabled until the next meeting to see if anyone comes forward to help. "If the city doesn't want to take responsibility and if no one wants to, the city will have to do what they need to do." Mr. Selders said. Councilmember Selders made the motion to table the item to see if any person or organization comes forward. Councilmember Price seconded the motion. All voted AYE. Motion carried.

**PRELIMINARY DISCUSSION OF STREET REPAIRS:**

City Manager Knight stated he needed each councilmember present a list of streets in their district that they feel need to be addressed. Knight reported the back wheel portion Waste Management's truck fell into a sink hole, the frame of the truck was still on the road.

Councilmember Sorensen presented Mr. Knight with her list of street repairs for her district, while Councilmember Price said she would like to discuss her concerns with Knight before submitting them.

**CONSIDER PAYMENT OF CURRENT BILLS:**

Councilmember Price made the motion to approve payment of current bills in the amount of \$311,780.79. Councilmember Bonnot seconded the motion. All voted AYE. Motion carried.

**CITY STAFF REPORTS:**

*“At this time, the City Council will hear reports / updates on all committees or department assignments, which may include, but is not limited to the following: Police Department-grant updates, police report; Fire Department-grant updates, fire reports; Public Works Department-part reports, water & sewer line updates, street repairs/projects; City Manager & City Secretary-public information; Finance Director-financial report; Code Enforcement-progress reports on code issues. No formal action can be take on these items”*

**Ken Knight-City Manager** reminded the council of the Texas Municipal League Region 11 meeting tomorrow night in Victoria. March 14, 2013 there will be a FEMA public meeting from 2 p.m. to 8 p.m. that is open to the public.

**ADJOURN:**

Councilmember Bonnot made the motion to adjourn the meeting. Councilmember Price seconded the meeting. All voted AYE. Motion carried.

APPROVED:\_\_\_\_\_

Joe D. Hermes, Mayor

ATTEST:\_\_\_\_\_

Becky Miska, City Secretary