

The City Council of the City of Anamosa met in Regular Session this March 12, 2018 in the Council Chambers at City Hall at 6:00 p.m. with Rich Crump, Kay Smith, John Machart, Rod Smith, Cody Shaffer and Betty Weimer present. Absent: None. Mayor Dale Barnes presided. Also present were Jacob Sheridan, City Administrator; Tammy Coons, City Clerk; Dan Smith, Wastewater Superintendent; Jim Henson, Water Superintendent; Travis McNally, Police Sergeant; Rebecca Vernon, Library Director and Tyler Laing, Parks & Rec Director. Guests Present Addressing the Council: Nancy Shaffer, 803 N. Division Ct; Leanne Boone and Doug Edel, Anamosa Chamber of Commerce; Jon Custis, 407 E Cedar St.; Mike Dearborn, 405 N. Division St.; Kim Kurth, 303 Cleveland St.; John Ely, 301 N. Davis St.; Chris Collins, 507 E. 1<sup>st</sup> St.; Kelly Day, 110 W. Walnut St.; Toni Ellis, 505 E. 1<sup>st</sup> St.; Heidi Hubbard, 110 W. Walnut St.; Randy Day, 304 S. Oak St.; and Judy Rose, 206 S. Davis St. Mayor Dale Barnes called the meeting to order at 6:00 p.m. Roll call was taken with a quorum present.

### **Council Minutes**

Motion by Rod Smith, second by Shaffer to approve the minutes from the February 26, 2018 Regular Council meeting and the February 26, 2018 Special Council Meeting. All Ayes. Motion Carried.

### **Presentations**

Nancy Shaffer, 803 N. Division Ct. addressed the Council asking them not to approve the third reading of the ordinance lifting the Pit Bull ban in Anamosa. Nancy then presented a video of attacks by Pit Bulls. She talked about the dog's body language being hard to read and that the type of bites from Pit Bulls cannot be compared to other types of dog bites. Nancy also stated that a breaking stick has to be used to break the bite of a Pit Bull. She stated that the easy breeding is a fast money maker for breeders. Nancy touched on the following: inexperienced owners adopting Pit Bulls from shelters, that the leash law and the licensing requirements are not enough to handle Pit Bulls and expressed worry for the safety of community.

Leanne Boone and Doug Edel, Chamber of Commerce addressed the Council presenting a proposed Bike Ride Event in combination with a band and beverage garden to be held after the ride event. They are tentatively looking at Saturday July 7<sup>th</sup> to hold the event. Doug reviewed the details of the event and potential City staff involvement.

Jon Custis, 407 E. Cedar Street addressed the Council stating that he had purchased the property at 1120 N. Williams St. and he had requested information on disconnecting the siren located very near his property line. He reviewed his experience from the siren being sounded when he was at the residence. Jon stated that he has 100% disability due to PTSD from being a veteran. He then reviewed statistics and guidelines on outdoor warning systems and how it related to the statistics of the current siren. He formally requested that this siren next his property be disabled. Discussion followed. Jacob Sheridan, City Administrator reviewed his gathered information on this siren regarding the location from Jon's property and also the FCC document that Jon had referenced. More discussion followed on the location of all sirens be reviewed by the contractor to determine the best location for sirens and meeting the requirements and regulations.

### **Proclamations**

Mayor Dale Barnes read proclamation proclaiming April 2018 Sexual Assault Awareness month.

### **COMMUNITY BETTERMENT:**

#### **Ordinance Amending Chapter 55 of the City Code (Animal Protection and Control) to Drop Breed Specific Prohibition**

Rod Smith read a letter he received from Mary Ellis, 318 Deerwood Drive who could not attend the Council meeting tonight, which reviewed her personal experience when a Pit Bull attacked her smaller dog and it happened twice in the same day. In Mary's letter she also gave statistics and requested that Anamosa continue the ban on Pit Bulls. Betty Weimer expressed her desire to table the third reading of

the ordinance until the next regular council meeting to afford the opportunity to review and possible increase restrictions on aggressive or dangerous dog ordinances at the same time. Jacob reviewed his experience with in his previous city when lifting the Pit Bull ban. Discussion followed.

Motion by Weimer, second by Crump to table the third reading of the Ordinance amending Chapter 55 of the City Code (Animal Protection and Control) to Drop Breed Specific Prohibition to the next regular council meeting on March 26, 2018. Discussion followed.

Mike Dearborn, 405 N. Division St. addressed the Council asking for clarification on what the Council was voting on in this motion. Betty explained her reasoning on the intention of the motion. Mike asked if the additional proposed ordinance on the aggressive dog would come before the 3<sup>rd</sup> reading of the Pit Bull ordinance on the agenda. Discussion followed. Mike inquired of the Mayor what his opinion was on the possible agenda item order.

Kim Kurth, 303 Cleveland St. addressed the Council asking if the public present could present an opinion on this agenda item. She reviewed her 3 experiences with Pit Bull attacks for the Council.

John Ely, 301 N. Davis St. addressed the Council reviewing open meeting laws and that require whenever there is a majority of the Council involved, it becomes a public meeting. He questioned one council member going around to other council members and giving information. John requested that the Council be very careful in these types of situations. Betty stated that it is correct that the Council cannot make decisions but can pass information on to each other.

Chris Collins, 507 E. 1<sup>st</sup> St. addressed the Council asking if the Pit Bull ban would apply to emotional support dogs. Jacob stated that yes, it does. Chris stated that this opinion differed from the City Attorney's opinion at the last meeting. He then reviewed Brian Darrow's previous presentation and summary. Chris also questioned where the Council will draw the line on what types of dogs are going to be allowed by the size or breed of dog. He stated that he is sure that no one in the community wants aggressive or vicious dogs in the community. Chris stated that he feels that banning a breed of dog is not effective.

Kelly Day, 110 W. Walnut addressed the Council questioning where the statistics that were given in Rod's citizen letter were acquired from or the source. She also stated that if the City is banning a breed due to fatalities, then other breeds will also need to be banned. Kelly stated that there are 25 breeds that account for the maulings.

Toni Ellis, 505 E. 1<sup>st</sup> St. addressed the Council stating that she has worked in health care and is very aware of what dogs, cats and people can do. She asked that the Council consider that looks can be deceiving and that everyone has a fear of different dogs.

Heidi Hubbard, 110 W. Walnut St. addressed the Council stating that she has volunteered at animal shelters and other facilities. She dog sits for 18 dogs and in her opinion every dog can bite and some dogs are trained poorly, which is bad ownership issues. Rod Smith expressed his disagreement with tabling the motion on the third reading of the Pit Bull ban. Weimer explained her reasoning once again. Roll Vote. 1 – Nay, Rod Smith. All Remaining Ayes. Motion Carried.

### **Establishing and Adopting Guidelines for Public Participation at City Council Meetings**

Jacob suggested that item number three in the proposed resolution be removed and public comment with items not on the agenda (agenda item no.12.0) be removed. He stated that this limits the ability of the public to respond to the agenda item. Crump expressed his disagreement and that it should be allowed but controlled. Rod Smith suggested parliamentary procedures for council meetings. He also stated that side-bar conversations should not be allowed. Jacob recommended reviewing and revising and reconsideration of proposed resolution.

Randy Day, 304 S. Oak St. addressed the Council stating he remembered when this public participation guideline was adopted and he stated that this is a good thing.

Judy Rose, 206 S., Davis St. agrees with the time limit on citizen participation. She then reviewed her experience with her resignation from the Zoning Board of Adjustment and her application to be on the P&Z Committee. She reviewed her experience with P&Z, committees and her education.

### **Review of City Employee Personnel Policies/Discrimination/Sensitivity Training**

Jacob reviewed the email from Adrian Knuth regarding his research, proposals and his recommendation to hire Shuttlesworth and Ingersoll to complete this process. Discussion followed. It was requested that Jacob have Adrian receive the actual proposals before the Council made a decision on both agenda items 6.3 and 6.4.

**Resolution Approving the Subdivision Plat for Storage Addition**

Rod Smith asked Doug Edel, Planning & Zoning Commission for a summary of the review of these two subdivision plats. Discussion followed. Randy Williams, MMS Consultants explained the reasoning for the plat reviews.

Motion by Rod Smith, second by Shaffer to approve **Resolution 2018-04** approving the subdivision Plat for Storage Addition. Roll Vote. All Ayes. Motion Carried.

**Resolution Approving the Subdivision Plat for Barner's First Addition**

Motion by Rod Smith, second by Crump to approve **Resolution 2018-05** Approving the Subdivision Plat for Barner's First Addition. Roll Vote. All Ayes. Motion Carried.

**Adding the Pledge of Allegiance to Council Meeting Agendas**

Motion by Crump, second by Machart to approve adding the pledge of allegiance to Council meeting agendas. All Ayes. Motion Carried.

**"Meet and Greet" for New City Administrator, Jacob Sheridan**

Discussion was held on possible upcoming dates for a "Meet and Greet". It was suggested that it be held from 1 – 3 pm on a Saturday. Jacob will check his calendar.

**PUBLIC SAFETY:**

**Appointment of Volunteer Fire Fighter**

Motion by Weimer, second by Crump to approve the appointment of Dylan Bickford to the Anamosa Volunteer Fire Department. All Ayes. Motion Carried.

**Resolution Approving 28E Agreement with Jones County Sheriff's Department**

Motion by Rod Smith, second by Shaffer to approve **Resolution 2018-06** Approving 28E Agreement with Jones County Sheriff's Department and the City of Anamosa. Roll Vote. All Ayes. Motion Carried.

**Implementation of Fines for Failure to License Dogs in the City of Anamosa**

Motion by Rod Smith, second by Weimer to approve the **First Reading of Ordinance** setting fines for failure to license dogs within the City of Anamosa. Discussion followed. John Ely, 301 N. Davis St. addressed the Council suggested leaving the forms with both the Anamosa Vet and the Monticello Vet. He also suggested a time limit. Discussion followed. Galen Capron, 102 Park Place suggested a timeline for the requirement for licensing and when the fines be enacted. More discussion followed. Rod Smith withdrew his motion and Weimer withdrew her second to that motion and to table this until the next regular meeting with the changes and additions as discussed.

**Process to Fill the Police Chief Position**

Jacob stated that the advertisement will be in the local paper, the Cedar Rapids paper, on-line with Indeed.com and in the Police publication. Discussion followed on the proposed timeline.

**PUBLIC WORKS: NONE**

**FINANCE:**

**Resolution Adopting the Fiscal Year 2019 Annual Budget for Fiscal Year Ending June 30, 2019 and Setting Levies**

Motion by Shaffer, second by Crump to approve **Resolution 2018-07** Adopting the Fiscal Year 2019 Annual Budget for Fiscal Year Ending June 30, 2019 and Setting Levies, Roll Vote. All Ayes. Motion Carried.

**Resolution Appropriating Funds to Outside Agencies for Fiscal Year 2018-08**

Motion by Crump, second by Shaffer to approve **Resolution 2018-08** Appropriating Funds to Outside Agencies for Fiscal Year 2018-19. Roll Vote. All Ayes. Motion Carried.

**Resolution Setting Salaries for Fiscal Year 2018-09 for Appointed Officers and Employees of the City of Anamosa, Iowa; and Establishing an Effective Date for this Resolution**

Motion by Rod Smith, second by Machart to approve **Resolution 2018-09** Setting Salaries for Fiscal Year 2018-19 for Appointed Officers and Employees of the City of Anamosa, Iowa; and Establishing an Effective Date for this Resolution. Roll Vote. All Ayes. Motion Carried.

**Resolution Setting Temporary Salary for Police Sergeant for Added Responsibilities in Absence of Police Chief**

Motion by Crump, second by Shaffer to approve **Resolution 2018-10** Setting Temporary Salary for Police Sergeant for Added Responsibilities in Absence of Police Chief. Discussion followed. Roll Vote. All Ayes. Motion Carried.

**Resolution Hiring and Setting Salary of Part Time Employee for the Lawrence Community Center**

Motion by Weimer, second by Shaffer to approve **Resolution 2018-11** Hiring and Setting Salary of Part Time Employee for the Lawrence Community Center. Roll Vote. All Ayes. Motion Carried.

**CITY ADMINISTRATOR'S REPORT:**

Jacob reported the following: 1) Met with all Department Heads, 2) Met with all Police Department Staff, 3) Met with Bill Sperflage, Warden, 4) He will be attending a conference for City Managers this Wednesday through Friday, 5) Asked the Council if they would be in favor of the City joining a NE Iowa League of Cities for \$125 per year.

**MAYOR AND COUNCIL:**

John Machart, Landfill reported that the budget was approved.

Rich Crump, asked that the City research citywide emails with the email server being kept in-house and accessible.

**Public with Business with the Council on Items not on the Agenda**

John Ely, 301 N Davis St. addressed the Council stating that he believes there is a failure to communicate in the Anamosa. He gave some examples. He also distributed copies of an email he had sent to Jamie Strait at the Police Dept. a week ago. He stated that after some research, he found that the link on the website for Jamie's email was actually going to previous Chief, Bob Simonson's email. Jacob stated that this has been corrected on the website. Discussion followed.

**Adjournment**

Motion by Rod Smith, second by Machart to adjourn at 9:15 p.m. All Ayes. Motion Carried.

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Dale Barnes, Mayor

ATTEST:

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Tammy Coons, City Clerk