

The City Council of the City of Anamosa met in Regular Session this March 26, 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; Travis McNally, Police Sergeant; and Rebecca Vernon, Library Director. Guests Present Addressing the Council: Chris Collins, 507 E. 1<sup>st</sup> St.; Tanya Polanski, 102 S. Oak St.; Cash Weber, 307 S. Davis St.; Kelly Day, 110 W. Walnut St.; Mike Dearborn, 405 N. Division St.; Justin Harbor, 604 N. Linn St.; Nicole Sanborn, ITS; Randy Day, 304 S. Oak St.; John Ely, 301 N. Davis St.; Don Ellis, 505 E. 1<sup>st</sup> St.; and Leanne Boone, Anamosa Chamber. 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 Weimer, second by Shaffer to approve the minutes from the March 12, 2018 Regular Council meeting. All Ayes. Motion Carried.

### **Presentations**

Chris Collins, 507 E. 1<sup>st</sup> Street addressed the Council apologizing for any inappropriate comments that were made on his Facebook page and he has since deleted them. Chris asked Jacob Sheridan, City Administrator what research he had done regarding Pit Bulls. Jacob stated that he had not done any research on the aggressiveness of Pit Bulls and that the proposed ordinance on additional requirements for Pit Bulls was to help reach a “middle ground” as when a Pit Bull bites it is more dangerous. Chris also questioned the additional registration fee of \$100 for Pit Bulls and Jacob explained it is to help with the additional enforcement needed under the proposed ordinance. Chris went on to touch on current enforcement of dog licenses, leash laws, etc. He also stated he agreed with the enforcement of the aggressive and vicious dog ordinances, but that there is no research to support that Pit Bulls are any more aggressive than any other breed of dog. Chris stated that there are a lot of fake facts on the internet relating to Pit Bulls. He also stated that he feels Anamosa should be fair and progressive regarding this issue and pointed out that there are at least three people who do not and will not live in Anamosa due to the Pit Bull ban. Chris stated that there are a lot of people who have put in faith in the Council to make good decisions and thanked the Council for the opportunity to speak. Rod Smith questioned Chris on the validity of the statistics both pro and con for Pit Bulls. Discussion followed.

### **COMMUNITY BETTERMENT:**

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

Mayor Barnes stated that agenda item 7.3 as stated above, will be considered at this time.

Motion by Crump, second by Shaffer to approve **Resolution 2018-12** Establishing and Adopting Guidelines for Public Participation at City Council Meetings. Roll Vote. All Ayes. Motion Carried.

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

Weimer thanked the people and the Council for tabling the third reading of this ordinance until today to provide for further consideration. She also reviewed her conversation with an attorney for another city regarding whether a Pit Bull prohibition was discrimination and that dogs are not a “protected class”. Weimer also stated that she has information that two veterinarians will not allow or treat Pit Bulls in their clinics, but other clinics do treat them with some restrictions like requiring them to have muzzles in place while in a public area. Weimer reviewed a list of communities, showing which communities still have a Pit Bull ban in place. She also stated that she had spoken to several insurance companies that will not insure Pit Bulls even with reduced liabilities. Kay Smith stated that is a good thing to license dogs to identify their location, rabies vaccination and to get the dogs out in the open. Jacob Sheridan recommended that the Council not pass the third reading of this ordinance and then consider the ordinance listing requirements for Pit Bulls. Discussion followed.

Weimer read a communication received from a citizen from Monticello that was in favor of the newly proposed ordinance for restrictions on Pit Bulls. More discussion followed.

Motion by Kay Smith, second by Crump to approve the **Third Reading of Ordinance No. 922** Amending Chapter 55 of the City Code (Animal Protection and Control) to Drop Breed Specific Prohibition.

Tanya Polanski, 102 S. Oak Street addressed the Council questioning the \$100 registration fee for Pit Bulls under the new proposed ordinance following. Jacob Sheridan explained that the fee would cover the enforcement of the ordinance. Rod Smith requested that anyone with a “sidebar” conversation step outside the Council Chambers.

Cash Weber, 307 S. Davis St. addressed the Council explaining his situation of a friend possibly moving to Anamosa with two Pit Bulls and questioned the people’s fear of the breed and giving the people a chance to make their own decisions while being a responsible owner.

Kelly Day, 110 W. Walnut Street addressed the Council clarifying that adopting of dogs such as Pit Bulls is not a money-maker for the Jones County Animal Welfare. She questioned the list of dog breeds that insurance companies supposedly would not insure and asked that fear tactics not be used. Kelly stated that all dogs should be treated the same under the dangerous/vicious dog ordinance.

Chris Collins addressed the Council suggesting a compromise of a \$5 license fee for any altered dog and \$100 fee for any non-altered dog. Discussion followed. He asked again for fair treatment of dogs, regardless of the breed.

Mike Dearborn, 405 N. Division Street addressed the Council questioning the order of agenda items 7.1 and 7.2. Jacob Sheridan clarified that it would make sense to pass one or the other, not both. Mike stated that he felt that the newly proposed ordinance on Pit Bull requirements is not a compromise and that the dog owners should be responsible.

Tanya Polanski addressed the Council stating that she works at a kennel and that when animals are spade or neutered that lessens the animal’s aggression.

Mayor Barnes asked for a Roll Vote. 2 – Nays, Rod Smith and Weimer. All Remaining Ayes. Motion Carried.

**First Reading of Ordinance Deleting Pit Bull Terriers from Dangerous Animal Definition and Requiring Proof of Insurance for Registration**

Jacob Sheridan stated that since the Pit Bull ban would be lifted with the passage of the third reading of the previous ordinance, that it would not make sense to enact both ordinances. He stated that a compromise in conjunction with the passed ordinance could be considered in the future. Crump suggested a possible ordinance addressing dog breeders and the spading or neutering of the dogs.

Motion by Rod Smith, second by Weimer to approve the **First Reading of Ordinance** Deleting Pit Bull Terriers from Dangerous Animal Definition and Requiring Proof of Insurance for Registration. Roll Vote. 3 – Nays, Crump, Kay Smith and Machart. All Remaining Ayes. Tie Vote. Motion Failed.

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

Jacob Sheridan reviewed the three proposals submitted for the service of employee handbook review/update and employee discrimination training. Discussion followed.

Motion by Weimer, second by Kay Smith to approve and accept the proposal submitted by Simmons Perrine Moyer Bergman PLC. Discussion followed. Weimer withdrew her motion and Kay Smith withdrew her second.

Motion by Weimer, second by Kay Smith to approve and accept the proposal submitted by Shuttleworth & Ingersoll, PLC. All Ayes. Motion Carried.

**“Meet and Greet” for New City Administrator, Jacob Sheridan**

Motion by Shaffer, second by Crump to set April 6, 2018 from 5:30 pm – 7:00 pm at the Anamosa Library for the “Meet & Greet” for the new City Administrator, Jacob Sheridan. All Ayes. Motion Carried.

**Email Options for City Staff and Elected Officials**

Jacob reviewed the two “cloud based” email proposals that had been submitted. He stated that he is waiting on one more proposal. Nicole Sanborn, ITS addressed the Council offering to answer any questions. Discussion followed.

**PUBLIC SAFETY:**

**Beer and Liquor Licenses**

Motion by Rod Smith, second by Shaffer to approve the renewal of Class C Liquor License, Outdoor Sales with Sunday Sales Privileges for La Hacienda Mexican Restaurant. All Ayes. Motion Carried.

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

Motion by Rod Smith, second by Shaffer to approve the **First Reading of Ordinance** setting fines for failure to license dogs within the City of Anamosa.

Randy Day, 304 Oak Street addressed the Council asking for clarification on how the fines would be applied, by day or offense. Discussion followed. John Ely, 301 N. Davis Street addressed the Council asking if the Council Members had read his email. Discussion followed. Rod Smith withdrew his motion and Shaffer withdrew his second. It was suggested that Adrian review the ordinance to clarify how the civil penalties would be applied, by day or by offense.

**PUBLIC WORKS: NONE**

**FINANCE:**

**Payment of Bills for the Month of March, 2018**

Motion by Weimer, second by Shaffer to approve the payment of bills for the month of March, 2018. Discussion followed. All Ayes. Motion Carried.

**CITY ADMINISTRATOR’S REPORT:**

Jacob reported the following: 1) Attended the City Manager Conference in Iowa City, it was good networking and function, 2) He is working on the Police Chief applicant process and has received a lot of good applications, 3) He will be attending a meeting with JRMC for an employer forum and also with Alliant Energy to help get to know community partners.

**MAYOR AND COUNCIL:**

Weimer, JCED reported that they are working on the search for new director.

Kay Smith, Anamosa Library reported that they are working on installing baffles at the Library and working on the ground and geothermal system. She also stated that there is an ancestry symposium coming up.

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

Don Ellis, 505 E. 1<sup>st</sup> Street addressed the Council asking why he saw a City employee power sweeping a residential property. Jacob Sheridan stated that he will look into this and apologized as this should not be happening.

Leanna Boone, Anamosa Chamber addressed the Council sharing recent correspondence regarding Anamosa hosting an American Gothic Sculpture for a six month to one year period for a cost of \$20,000. Discussion followed.

**Adjournment**

Motion by Crump, second by Machart to adjourn at 7:59 p.m. All Ayes. Motion Carried.

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Dale Barnes, Mayor

ATTEST:

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Tammy Coons, City Clerk