

SPECIAL COUNCIL MEETING
ANNEXATION WORKSHOP
CONFERENCE ROOM – CITY HALL
NOVEMBER 29, 2016
6:00 P.M.

Mayor Sargent presided over the special council meeting and called it to order at 6:05 p.m. with the following Council members present: Gunderson, Johnson, Struble, Thompson. Council member Tiffey was absent. Also present were City Clerk/Administrator Miller, Chief Murray, Ass't Chief Lange, City Engineer Olmsted and visitors: Gerald Marshall, Evelyn Marshall, Julie Marshall, Katie Moyer, Owen Moyer, Johnathon Moyer, Kory Preston, Roger Marshall, Tom Jarosz, Marie Ellithorpe, Jesusa Christians.

The Pledge of Allegiance was recited.

Moved by Council member Thompson to approve the agenda for November 29, 2016, seconded by Council member Struble. Motion carried on a 4-0 vote.

Mayor Sargent opened the Hearing to hear an Appeal to Order to Remove A Vicious Animal brought by Marie Ellithorpe. He explained Ms. Ellithorpe's dog met the definition of 'vicious dog' per Chapter 57 of the Missouri Valley Code of Ordinances and notice had been given her to remove the dog from city limits. She is appealing that Order and requesting her dog be considered a guard dog and therefore exempted from being removed as a vicious animal, and she had stated she would abide by any restrictions placed on the dog. Assistant Chief Lange informed Council the dog had bitten three children in the past month – two of the bites had been shoulders or above. Per Code, two bites within 12 months or one bite above the shoulder constitutes a vicious animal. Twice the dog was on Ms. Ellithorpe's property when it bit the children, who were playing with her children, and once it was off-property. Ms. Ellithorpe apologized that her dog had bitten the children but stated she does not feel the dog is vicious and has it near her own children. She informed Council that she would not allow her boys to walk the dog and that she would treat it as a guard dog taking any necessary precautions including keeping it in a kennel inside her home when she wasn't home. She also put the dog in training classes. The dog is current on shots but not licensed with the City. She stated she's had the dog for three months. Following discussion, moved by Council member Thompson to uphold the Mayor's Order to remove the dog, seconded by Council member Struble. Motion carried on a 4-0 vote. Mayor Sargent closed the hearing and opened the annexation workshop at 6:15 p.m.

Council reviewed the draft of the Annexation Plan with discussion on several sections. Olmsted discussed utility services. Consensus was annexed property owners can use existing wells or septic systems until they need major repair/replacement or until there is a change in use of the property.

It was discussed that the majority of the area proposed is out of the flood plain therefore the City could create areas that can be developed and provide controlled growth. Council consensus was to hold a public informational meeting especially inviting the affected property

owners on December 20th following the council meeting to provide specific information on annexation and answer questions. Council members will then follow up with individual property owners.

Olmsted gave the Council information regarding an inquiry from the previous Council Meeting on a water issue at a property on N. 1st where the City had an easement to run a water line.

Moved by Council member Struble to adjourn, seconded by Council member Johnson. Motion carried on a 4-0 vote. Meeting adjourned at 7:35 p.m.

Clint Sargent, Mayor

Attest:
Rita Miller
City Clerk/Administrator