

**CITY OF CLARKSVILLE
CITY COUNCIL DEPARTMENT MEETING
MARCH 17, 2014**

The Clarksville City Council met in regular session March 17, 2014, in the Council Chambers at 7:00 p.m. with Mayor David Kelm in the chair and Council members Cathy Cummings, Jeff Kolb, Diane Renning, Travis Sterken, and Val Swinton present.

The following Department Heads were in attendance: Kristen Clark, Library Director; Dan Cummings, Police Chief; Matt Kampman, Maintenance Superintendent; and Larry Betts, Financial Administration.

Mayor Kelm opened the public hearing for the purpose of passing AN ORDINANCE AMENDING DANGEROUS ANIMAL PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF CLARKSVILLE, IOWA TO PROVIDE FOR A SERVICE ANIMAL EXCEPTION. The City Attorney, Luke Guthrie, entertained that federal law may allow for an exception to the City's prohibitions for qualified service animals serving a person with a disability as defined under the laws and regulations of the Americans with Disabilities Act. There being no written or oral, for or against a service animal exception, the Mayor declared the hearing closed.

Motion Kolb, Swinton, to adopt the first reading of Ordinance 266: AN ORDINANCE AMENDING DANGEROUS ANIMAL PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF CLARKSVILLE, IOWA TO PROVIDE FOR A SERVICE ANIMAL EXCEPTION.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, IOWA:

SECTION 1. SUBSECTION MODIFIED. Chapter 56, Section 56.02 of the Code of Ordinances of the City of Clarksville, Iowa is amended to add an additional subsection 6:

4. Any dangerous animal which is specifically trained for and actually providing assistance as a service animal to a person with a disability. To qualify for this exception, the service animal must meet the statutory and regulatory requirements of the Americans with Disabilities Act and be under the handler's control. Individuals seeking a service animal exception must provide requested information to the Chief of Police including showing whether the animal is required because of a disability and what work or task the animal has been trained to perform. The Chief of Police in consultation with the City Attorney shall make a determination as to whether the service animal shall qualify as an exception under this subsection. Appeal of any determination shall be pursuant to Subsection 56.03 subsections (3), (4) and (5).

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. In all other respects, The Code of Ordinances of the City of Clarksville shall remain in effect.

SECTION 4. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

RCV - Ayes: Cummings, Kolb, Renning, Sterken, Swinton. Nays: None. MC.

First reading passed.

Motion Renning, Kolb, to waiver the second and third readings of Ordinance 266: AN ORDINANCE AMENDING DANGEROUS ANIMAL PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF CLARKSVILLE, IOWA TO PROVIDE FOR A SERVICE ANIMAL EXCEPTION.

RCV - Ayes: Cummings, Kolb, Renning. Nays: Sterken, Swinton. MC.

Waiver of the second and third readings failed, the second reading will be on the next Council agenda.

Motion Cummings, Renning, to approve request from Whitney Ragsdale (421 W. Superior) for a Service Animal exception for a dangerous animal which is specifically trained for and actually providing assistance as a service animal to a person with a disability.

RCV - Ayes: Cummings, Kolb, Renning, Sterken, Swinton. Nays: None. MC.

Motion Sterken, Swinton, to approve the monthly Library reports submitted by Kristen Clark.

RCV - Ayes: Cummings, Kolb, Renning, Sterken, Swinton. Nays: None. MC.

Motion Kolb, Renning, A RESOLUTION OF THE CITY COUNCIL OF CLARKSVILLE, IOWA, TO ACCEPT RESIGNATION FROM CITY EMPLOYEE.

BE IT RESOLVED, by the City Council of the City of Clarksville, Iowa;

“WHEREAS Pat Calease has resigned as Library Assistant for the City of Clarksville.

Resignation is effective as of April 30, 2014.”

RCV - Ayes: Cummings, Kolb, Renning, Sterken, Swinton. Nays: None. MC.

Resolution adopted signed by the Mayor and hereby made a portion of these minutes.

Motion Sterken, Swinton, to adopt Resolution 14-548: A RESOLUTION SETTING THE SALARIES FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF CLARKSVILLE, IOWA, FOR THE FISCAL YEAR 2015.


RCV - Ayes: Cummings, Kolb, Renning, Sterken, Swinton. Nays: None. MC.

Resolution adopted signed by the Mayor and hereby made a portion of these minutes.

Motion Renning, Cummings, to approve March expenditures as presented by the City Clerk.

RCV - Ayes: Cummings, Kolb, Renning, Sterken, Swinton. Nays: None. MC.

Motion Sterken, to adjourn the meeting at 9:31 p.m.


Attest Larry D. Betts, CMC
City Clerk/Treasurer

David Kelm
Mayor

