

September 25, 2017

The Ely City Council met in special session on 09/25/2017 in Council Chambers to hear an appeal filed by Tony Davis and Kim Broulik, 1852 Wrigley Street, Ely, Iowa. Officials present were Council Members Teri Billick, Kay Hale, Elizabeth Rohner, Judy Wery. Dan Whitaker arrived at 6:37 PM. Mayor Eldy Miller called the meeting to order at 6:30 pm.

Council member Hale moved to approve the agenda as posted, second by Rohner. Ayes-4

Council heard information from Tony Davis concerning a notice to remove a Pitbull from his residence at 1852 Wrigley Street, Ely, IA. Davis insured council that the dog was friendly and felt it should not be removed just because it was a Pitbull.

City Administrator Hoy informed council that there had been several complaints filed at city hall concerning the Pitbull at 1852 Wrigley Street. Upon research of the Ely City Code, Hoy served a notice of removal per ordinance 4-1-18. Davis and Broulik appealed the order on September 11, within the time given in the notice.

Vern Escher, 1825 Wrigley Street, Ely and Katie Jo Bruhn, 1780 Rock Island Drive, Ely both expressed their concern with dogs running at large and Pitbull's being aggressive in nature.

Upon hearing all oral and written statements, council member Hale moved, second by Billick, to affirm following statements:

1. Find that the dog in question is a dangerous animal within the meaning of Ely City Code section 4-1-1-7, and that Kim Broulik and Tony Davis are keeping, sheltering, or harboring the dog in question within the city limits of the City of Ely, Iowa;
2. Affirm the September 6, 2017, Order of Removal issued to Kim Broulik and Tony Davis of 1852 Wrigley Street, Ely, Iowa, for the removal of the dog being kept, sheltered, or harbored at that address; and
3. Issue an order to Kim Broulik and Tony Davis to remove the dog in question from the City of Ely, Iowa pursuant to Ely City Code Section 4-1-18.

And to adopt resolution 2017-09.27 affirming the September 6, 2017 Notice of Removal issued to Kim Broulik and Tony Davis at 1852 Wrigley Street, Ely, Iowa, regarding the dog being kept, sheltered, or harbored at the address. Ayes: Rohner, Wery, Hale, Whitaker, Billick. Nays: none.

Council member Rohner moved, second by Hale, to adjourn the meeting at 7:03 PM. Ayes: 5.

Eldrew Miller, Mayor

Denise L. Hoy, Clerk/Administrator