

May 1, 2017  
6:00 p.m.  
Regular Monthly Meeting  
Ripley City Courtroom

Mayor Pavletic presiding

Aldermen present: Alston, Beard, Chipman, Davis, Hankins and Treadway

Aldermen absent: None

Also present: Donna Buckner, Attorney Jackson, Johnie Ford, Chief Tracey Worlds, Chief Donnell Baltimore, Randy Danley and Scott Nelson

Visitors: Dean Barlow, Johnny Emerson, Mary E. Barnes, Amanda Adkerson, Stephanie Crowder, Ron Goforth, Gwenn Blackman, Bernitta Ellis, Mary E. Ellis, Lee Johnston and Jay Heath

Johnny Emerson, New Mitchell Grove Baptist Church, opened the meeting with prayer.

Mayor Pavletic led the Pledge of Allegiance.

1. Motion by Alderman Chipman and second by Alderwoman Alston to approve April 3, 2017 minutes as printed and delivered in agenda package. All aye
2. Motion by Alderman Hankins and second by Alderman Davis to approve April 10, 2017 minutes as printed and delivered in agenda package. All aye
3. Motion by Alderman Beard and second by Alderman Davis to approve April 17, 2017 minutes as printed and delivered in agenda package. All aye
4. Motion by Alderman Davis and second by Alderman Beard to approve April 24, 2017 minutes as printed and delivered in agenda package. All aye
5. Motion by Alderman Chipman and second by Alderwoman Treadway to approve April 2017 financial statement as printed and delivered in agenda package. All aye

Correspondence: none

Alderman Hankins (chair) submitted report by Vicious Dog Committee. Suggestions of the committee were 1) removal of stated breed within ordinance, 2) add neuter/spay of any dog requirement to ordinance, 3) add "clean up" clause to ordinance, 4) allow Animal Control to issue permit/license once inspection meets all requirements, and 5) requirement of microchip.

Stephanie Crowder asked that the board take into consideration adding tethering on a chain.

Attorney Jackson stated that by removing breed specific language we are losing the teeth of the ordinance currently being enforced. Under the existing ordinance a dog is vicious if it has already exhibited unprovoked aggressive behavior or if a dog, because of its general behavior, has shown the likelihood of aggressive or unprovoked behavior. Basically what is being suggested now is that the owners of Pit Bulls are not obligated to confine their dogs until after they have attacked.

Alderman Davis stated that the question was can an owner bring their dog into public. Number 2 of the report states that a dog cannot be brought into a public setting unless it's been neutered.

Attorney Jackson stated with the two recent attacks that have taken place in the city by the Pit Bull breed there will be no provisions in this ordinance remaining for like circumstances to protect people and other domestic animals from that happening to them. We started beefing up the enforcement of the ordinance to keep that from happening. You now removing the teeth from the ordinance to keep these things from happening by the three breeds cited. You've now

put all dogs on a level playing field and no dog will be deemed vicious until after they have shown unprovoked aggression.

Attorney Jackson stated you're saying remove the breeds? So Pit Bulls, Dobermans Rottweilers are coming out of the ordinance.

Alderman Davis stated the committee is saying all dogs are vicious unless deemed otherwise.

Attorney Jackson stated the existing definition says that a dog is not vicious until after it has shown vicious unprovoked aggression. So with your recommendation a dog isn't vicious and therefore not subject to permits and confinement until after something has happened. You are removing the protection the ordinance allows for in situations like what happened to Mrs. Woods and Mr. Champagne at the hands of Pit Bull dogs.

Attorney Jackson asked for clarification on neuter/spay requirement of the committee's report.

Alderman Davis stated if the owner wants to bring the animal in public it must be neutered or spayed.

Alderman Hankins stated that 86% of dog bites are by un-neutered or un-spayed dogs.

Attorney Jackson asked if the intention is that no dog can be brought into public unless the owner can show permit stating the dog has been neutered or spay.

Alderman Hankins stated owners would be required to produce permit or ban all dogs from public events.

Attorney Jackson stated there is no visible means of detection for microchips. Some vets provide identification that can be worn on collar. Some don't. Unless proof of microchip be required as part of the permit there is no way of knowing.

Alderman Chipman asked for city attorney's pros and cons to committee's recommendations.

Attorney Jackson stated she had no problem with what's been suggested but the cons are you are taking teeth out of the existing ordinance. Your taking out some of the ability to enforce the ordinance before something happens. The existing ordinance was enacted in response to specific attacks by a specific breed. You are making recommendations to essentially take out teeth that would protect against what was Mrs. Woods and Mr. Champagne's experiences.

Alderwoman Treadway asked for feedback on what the city attorney would do.

Alderman Davis stated he agreed with city attorney. Doesn't want to throw away what we've been working on. Those dogs should not be allowed in public. The issue he's trying to get across is if a dog has been neutered, had a visit by animal control and deemed safe we can identify that dog with some sort of a permit. Everything else remains the same. He is in favor of the defecate and microchip additions. Any responsible owner should want to microchip.

Alderman Hankins stated as chairman of committee he has received more complaints about defecation than viciousness.

Attorney Jackson stated if dogs are getting rabies vaccination, they are receiving an identifying number that can be looked up. Don't need microchip.

Stephanie Crowder stated veterinarian in Dyersburg places a green tattoo on dog's stomach to indicate microchip.

Attorney Jackson stated that is not a uniform practice for identifying micro-chipped animals. If you make a microchip an obligation for getting a permit the owner would have to show proof of the micro-chipping before they can get permit to take dog into the public. Essentially now, is the animal control officer is going to stop everyone that has a dog out in public and ask to see permit.

Alderman Hankins stated yes.

Attorney Jackson asked what are we going to do different for vicious dogs? By these recommendations you are removing any designations you would give for certain breeds. A Pit Bull would be treated the same as a Dachshund.

Alderman Hankins stated that at the end of the day it's simply not fair in his mind nor the committee's mind and many others that you label a dog vicious because of its particular breed. Many cities and towns that have these provisions but doesn't mention specific breeds as vicious or non-vicious.

Attorney Jackson stated she could check with MTAS about other ordinances across the state. But would think they are breed specific.

Mayor Pavletic asked city attorney to check with MTAS and come back with report at next meeting.

6. Motion by Alderman Chipman and second by Alderwoman Treadway to approve Tennessee Consolidated Retirement System employer contribution rate of 14.43% effective July 1, 2017 through June 30, 2018. All aye
7. Motion by Alderman Chipman and second by Alderwoman Alston to approve Willow Creek Estates request to reduce speed limit to 25 miles per hour. All aye
8. Motion by Alderman Davis and second by Alderman Beard to approve advertisement for FY 2017-2018 bid offer for 1) hourly/daily rates on large construction equipment and labor, 2) rock, sand, gravel, concrete, re-surfacing with blacktop, labor and material, and 3) oil changes and tire repair including labor. All aye
9. Motion by Alderman Chipman and second by Alderwoman Alston to schedule FY 2017-2018 proposed budget meeting for Friday, May 5, 2017 at 8:00 a.m. All aye

Department Reports:

*Ripley Parks & Recreation:* Director Randy Danley gave monthly report.

*Ripley Public Works & Codes Departments:* Superintendent Johnie Ford gave monthly report.

*Ripley Police Department:* Chief Baltimore gave monthly report.

*Ripley Fire Department:* Chief Worlds gave monthly report.

*Ripley Gas, Water & Wastewater Department:* Superintendent Scott Nelson gave monthly report.

*Ripley Power & Light Department:* Alderman Beard gave monthly report.

*Ripley Housing Authority:* Alderwoman Alston gave monthly report.

DEVCO Director Lee Johnston gave event update.

Mayor Pavletic announced job fair for Thursday, May 11<sup>th</sup> from 2:00-6:00 p.m. at Tennessee College of Applied Technology. Marvin Windows hosted their annual Relay for Life 5K Saturday, April 29<sup>th</sup> at the Ripley City Park.

Meeting adjourned at 7:15 p.m.

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Donna Buckner, Recorder

Jon Pavletic, Mayor