

MINUTES of the CITY OF MILO SPECIAL COUNCIL MEETING
CITY HALL, 100 MAIN ST, MILO, IOWA - MONDAY, JULY 14, 2020

Milo City Council was called to order by Mayor Hall at 7:00 p.m. Council answering roll call: Moulds, Graham and Uttley. Kinser and Mason were absent. Mayor hall acknowledged that City Attorney Stuyvesant and the City Clerk were also present at this meeting.

Motion by Moulds to approve the agenda. Second by Uttley. Ayes: Moulds, Graham, Uttley. Absent: Kinser and Mason. Nays: none. Motion approved. Mayor Hall opened the public hearing regarding the determination by Milo City Council if a dog (Orca) is considered a vicious animal pursuant to Chapter 56 of Milo Code of Ordinances. Motion by Graham to enter all documents and pictures pertaining to the dog attack of May 2020 involving Orca the dog that are part of the Milo City Council information packets into the record. Second by Moulds. Ayes: Moulds, Graham and Uttley/ Absent: Kinser and Mason. Nays: none. Motion approved. Prior to beginning, City Attorney Stuyvesant asked the City Clerk if the property owners and the dog owners (Travis Kirgan, Dana Kirgan and Briston Kirgan) were served with notice of the hearing. Milo City Clerk stated that Dana Kirgan was emailed the notice and served by posting the notice at her Des Moines address and physically served the notice at her Milo address. Travis Kirgan and Briston Kirgan were both physically served at their Milo address. Attorney Stuyvesant stated, for the record, that none of the Kirgans attended this hearing. Mayor Hall called for comments from persons who have interacted with the dog (Orca). Mayor Hall asked all participants to state their name and address prior to giving their statements. Then, testimony was heard from Officer Wilbur of the Warren County Sheriff's Office, the Milo City Clerk and a written statement from Travis Kirgan was provided to Council. After each piece of testimony, Council asked questions pertaining to the incident. Motion by Moulds to close this public hearing. Second by Graham. Ayes: Moulds, Graham and Uttley Absent: Kinser and Mason. Nays: none. Motion approved.

After discussion, motion by Moulds that the dog (Orca) has been determined to be vicious pursuant to the Chapter 56 of the Milo Code of Ordinances. Second by Graham. Voice vote ayes: Moulds, Graham and Uttley. Absent: Kinser and Mason. Voice vote nays: none. Motion carried. Next, after discussion, motion by Moulds to require the property owner remove the dog (Orca) from the City of Milo. Second by Graham. Discussion followed. Voice vote ayes: Moulds, Graham and Uttley. Absent: Kinser and Mason. Voice vote nays: none. Motion carried. Attorney Stuyvesant will prepare an Order to be served upon the absent property owners: Travis Kirgan, Dana Kirgan and Briston Kirgan.

Council reviewed Resolution 2020-07. Motion by Uttley to approve Resolution 2020-07 Authorizing FY2021 Wages and Benefits for the City of Milo. Second by Moulds. Ayes: Moulds, Graham and Uttley. Absent: Kinser and Mason. Nays: none. Motion approved.

Motion by Moulds to adjourn at 7:42 p.m. Second by Graham. Ayes: all present. Motion approved.

By Order of the Milo City Council