

# **COUNCIL MEETING**

**Minutes of October 5, 2009**

**City of Independence, Ky.**

## **Opening**

The City Council of the City of Independence, Kentucky met on Monday, October 5, 2009 at 7:00 pm in the Council Chambers of the Independence Municipal Center, 5409 Madison Pike, Independence, Kentucky with Mayor Christian J. Moriconi presiding. Mayor Moriconi called the meeting to order and opened with the Pledge of Allegiance. An invocation was given by Council Member Jim Bushong. Roll was called and all Council Members registered present: Mary Pat Behler, Jim Bushong, Margaret Cook, Carol Franzen, Michael Little and Donna Yeager. Also present was City Attorney Jed K. Deters.

## **Approval of the September 14, 2009 Regular Council Meeting Minutes**

Mayor Moriconi called for a motion to approve the minutes of the regular meeting held on September 14, 2009. Council Member Yeager so moved, with second by Council Member Bushong. No amendments were noted; roll was called and answered with five ayes and one abstention voiced by Council Member Behler. Motion carried.

## **Proposed Ordinance – Amending Vicious Dog Ordinance No. 2007-O-25 – 1<sup>st</sup> Reading**

Mayor Moriconi presented to Council for a possible first reading a proposed Ordinance that would amend the current Ordinance No. 2007-O-25 defining and providing regulations for vicious dogs within the city limits. He advised that the proposed change to the ordinance does not include breed specific language that would ban pit bulls or any other breed. He stated that the purpose of the changes was to provide enforcement officers the authority to deem an animal vicious prior to the animal actually biting or attacking someone. He stated that another amendment to the ordinance would be to ban all exotic and wild animals.

Mr. Deters advised that the changes to the ordinance also give enforcement officers the ability to cite the owner of the animal to District Court. Council Member Little stated he felt that requiring the animal owner to carry liability insurance coverage and listing the City as an additional insured on their insurance policy would provide some assurance to the City.

Mayor Moriconi opened the floor for comments from the audience. Sarah McCane, 602 Berlander Drive, Independence commented that she felt the City should just enforce the leash law and suggested that the proposed changes to this ordinance were canine profiling.

Dana Luther, 1402 Old State Road, Park Hills, Kentucky – stated that she was not a resident of the City but felt that this proposed ordinance has the potential for profiling of dogs. She stated she felt that enforcement officers should be given training in dog behavior.

There being no further comments or discussion, Mr. Deters gave the proposed ordinance a first reading. Mayor Moriconi stated the ordinance would be presented for a second reading at the November 2<sup>nd</sup> meeting.

## **City Administrator’s Report – Dan Groth**

Mr. Groth announced that the Police Department has received the Golden Eagle Award from the Kentucky League of Cities in recognition of receiving a perfect score on the KLC insurance law enforcement scorecard evaluation. He also announced that the City would hold the annual Howl-O-Ween event for pets. He stated it is a Halloween costume contest for pets and that it would be held on Saturday October 17<sup>th</sup> from noon until 4:00 p.m. He announced that also on October 17<sup>th</sup> that the Buffalo Bob’s restaurant would donate 10% of their profits from 4-7 pm to

the Senior Center for their program fund. Mr. Groth also reported that the Police Department has received a \$20,000 Highway Safety grant.

**Attorney's Report – Jed K. Deters**

Mr. Deters stated he did not have anything to report but requested an executive session to discuss possible land acquisition.

**Mayor's Report – Christian J. Moriconi**

Mayor Moriconi announced that property owners can now pay their taxes on line with a credit card by going to the city's website.

Mayor Moriconi reported that 2010 Census workers would be canvassing the city in the near future and cautioned residents to ask anyone approaching their property to produce identification. He said all workers should voluntarily show identification as a Census worker, but if not then residents should ask to see it. He also advised that citizens should never provide anyone, even a Census worker, with their social security number.

In closing, Mayor Moriconi requested an executive session to discuss possible land acquisition.

**Executive Session**

At 7:14 p.m. Council Member Franzen moved to go into an executive session in accordance with K.R.S. 61.810 (b) to discuss possible land acquisition, with second by Council Member Behler. Motion carried with all ayes.

At 7:28 p.m. Council Member Behler moved to reconvene the regular meeting, seconded by Council Member Bushong. Motion carried with all ayes.

**Adjournment**

There being no further business, Council Member Franzen moved to adjourn the meeting, seconded by Council Member Yeager. Motion carried with all ayes and the meeting ended at 7:29 p.m.

---

Christian J. Moriconi, Mayor

Attest:

---

Patricia H. Taney, City Clerk