

## **MINUTES – November 24, 2014**

### **WOODVILLE VILLAGE COUNCIL – REGULAR MEETING**

Minutes of the Regular Meeting of Woodville Village Council held on Monday, November 24, 2014 in Council Chambers, 530 Lime Street at 7:00pm. Present at Roll Call were Mayor Rich Harman, Fiscal Officer Barb Runion, Council Members- Denny Fetzer, Judy Karchner, Joe Riffle, Stephanie Rizor, Jeff Tate, and Ty Tracy. Police Chief Roy Whitehead, Solicitor Bob Kuhlman, and Village Administrator Keith Kruse. Also present: See sign in sheet attached.

Mayor Rich Harman called the meeting to order and led the pledge to the flag.

Minutes of the Regular Council and Finance Committee Meeting on November 10, 2014 were approved as presented.

**AUDIENCE PARTICIPATION-** Mayor Harman stated the dog (Moses) shooting incident of November 3, 2014 remains an ongoing investigation at this time. The interviews of the witnesses are complete, and documents have been turned in to Tom Stierwalt, the Sandusky County Prosecutor, for review. As soon as the Prosecutors review is complete - a public statement will be made.

Cara Brown read a prepared statement regarding the dog shooting incident on November 3, 2014. (attached)

Tom Bloom questioned what remedies have ensued, to the group's requests, since the last council meeting – specifically if Officer Gilkerson was given a psychological exam. Mr. Bloom also questioned if council voted on the necessity of an exam – Tracy responded, no vote has been taken regarding this matter, and Officer Gilkerson is, and will remain, on active duty for the village.

Mayor Harman stated Officer Gilkerson is currently employed by the Walbridge Police Department, and they administered a psychological exam prior to the beginning of his service there in 2012.

Karchner stated Cheryl Kubista, the local trainer for Bark Buster Home Dog Training, is willing to work with our Police Dept. on recognizing different dog behaviors.

Chief Whitehead reported that since 2012 there have been 106 animal calls for service, and Officer Gilkerson has responded to 34 of those. Chief Whitehead continued by reading a statement from a township resident regarding an incident involving his dog biting Officer Gilkerson while responding to a call on his property.

Chief Whitehead stated another township resident recently informed the department of an incident in 2011 where the dog (Moses) crossed St. Rt. 20 and came onto his property and attacked his dog. The incident has been confirmed by report on file with the Sandusky County Sheriff's Department.

Mayor Harman stated Ohio does not have any laws pertaining to permitted/non permitted actions of officers, when dealing with canine situations.

Mayor Harman allowed the crowd to make comments, as well as, a lengthy question and answer discussion in relation to the issue.

At 7:52pm Mayor Harman thanked everyone for coming, and stated that the regular council meeting agenda will continue. Present at resuming: Mayor Rich Harman, Fiscal Officer Barb Runion, Council Members- Denny Fetzer, Judy Karchner, Joe Riffle, Stephanie Rizor, Jeff Tate, and Ty Tracy. Chief Roy Whitehead, Solicitor Bob Kuhlman, Village Administrator Keith Kruse, Township Trustee Ken Green, Dan Green, Deb Wallace of The Press, Karen Schepman, Cara Brown, Kelly O'Connor, and Alexandra Mester of The Toledo Blade.

**CORRESPONDENCE-** None

**OLD BUSINESS-** None.

**REPORTS:**

**ADMINISTRATIVE & PERSONNEL-** Riffle – No report.

**PUBLIC WORKS & MAINTENANCE** – Karchner – No report.

**ENVIRONMENTAL & COMMUNITY DEVELOPMENT** – Rizor – No report.

**FINANCE** – Tracy made a motion to adopt Finance Ordinance #1601 in the amount of \$108,902.95. Rizor second. VOTE- Yeas-Tracy, Rizor, Fetzer, Karchner, Riffle, and Tate. Nays-None **MOTION CARRIED 6-0.**

**PUBLIC SAFETY-** Tate – No report.

**RECREATION & PARKS DEVELOPMENT** – Fetzer – No report.

**VILLAGE ADMINISTRATOR** – Keith Kruse reported:

• **Project Update:**

- New School: The installation of the traffic light signals has started.
- Solar Field: Solar panels are installed & are being wired. This project is set to be completed by year end.
- Sewer Separation: 70% properties are connected into the new system. Many of the outstanding are on a contractor list for completion. Part of the Post-Construction Compliance Monitoring Plan requires Combined Sewer Overflows (CSO's) be sampled and inspected – this process has begun.
- Water Treatment Plant: Clarifier Roof and Valve Replacement work has been delayed (by weather), and is scheduled to begin the week of November 24.

• **Other:**

- Providing mutual aid to Elmore for pole damage.
- Preparing for the winter season. Plows are ready and salt is stocked.
- Poggemeyer Design Group's fees for the Limelite Park design are approximately \$4,000.00.

**POLICE DEPARTMENT-** Chief Whitehead – No report.

**FISCAL OFFICER-** Runion presented the following ordinance for council's consideration:

ORD. #22-2014: EMPLOYING ROBERT A. KUHLMAN AS VILLAGE SOLICITOR - 1st Reading.

**NEW BUSINESS** – Kelly O'Connor invited everyone to the Community Christmas Tree Lighting on December 6 at 6:30pm. The tree is located in the United Methodist Church's (UMC) side yard – refreshments will be provided following the tree lighting in the UMC Fellowship Hall.

**MAYOR'S REPORT-** None.

**EXECUTIVE SESSION-** None.

Mayor Harman adjourned the meeting at 8:05pm.



\_\_\_\_\_  
Mayor Richard A. Harman

\_\_\_\_\_  
Barbara J. Runion, Fiscal Officer

November 24, 2014

To Mayor Harman, Chief Whitehead, and this Community:

My name is Cara Brown. I have been a resident here in Woodville for 7 years now.

I'd like to tell you a bit about myself for credibility to speak on the matter of Officer Gilkerson's shooting of a dog that occurred on November 3, 2014. I am a dog owner and not just of any dog, but of Labradors. My dogs are licensed, my yard is fenced, and I am their protector and keeper. They are my furbabies. Prior to moving here, a former job I held was as an Animal Control Officer in the State of Arizona trained in Animal Laws and Behavior, so I have experience in this area as well.

The following is my opinion based on my experience and the information available to me.

Life is hard. It's a series of events that we can only prepare for but cannot exactly predict. This entire situation comes down to responsibility.

I have read many, many newspaper articles regarding this matter. I was in attendance at the last town council meeting where Chief Whitehead offered his time and access to all public records regarding this incident. If you know me personally, this is of course an offer I can't refuse. So I sat down with Chief Whitehead on November 20, 2014...for 2 hours, so this was not taken lightly by either of us...and reviewed public records, questioned him thoroughly, and feel that he was open and cooperative with the information he was permitted to discuss at that time. It is my understanding that all witnesses had been interviewed at the time of my meeting with Chief Whitehead.

This incident started because Officer Gilkerson witnessed a young child unrestrained in the back seat of a vehicle. He pulled the vehicle over for investigation. He knew there was history of illegal activity with the registered owner of the vehicle. He identified the occupants of the vehicle, advised about the unrestrained 2 year old, and asked for permission to search the vehicle... the owner/operator gave consent and complied. After securing the 2 year old, the operator and passenger exited the vehicle, and consented to and complied with pat downs. Please note that these pat downs cannot be as thorough or ideal, for various reasons, as an officer would hope for: for complete safety of the entire situation. During his search of the vehicle, which started on the driver's side of the vehicle that was located on State Route 20 (a 60mph zone), Officer Gilkerson, was approached by a dog running at large. He did make a verbal effort to stop the dog from further approaching and was unsuccessful. He then made his best choice to contain the situation for the safety of all. He shot the dog, that was at large, with no visible identification, that continued to approach him, in the public road.

Laws allow for a civilized and safe society.

According to Ohio Revised Codes...the Law...dogs are personal property...the same as a tv, a couch, or car...which is terribly sad to me because they can be furry loveable extensions of ourselves and our family. I have witnessed many dogs who are loveable and kind in their own homes, and on their own property, with people they are familiar with, and with strangers. However, not all dogs extend this kindness on and off their personal property, in unfamiliar situations, and with unfamiliar people.

The Law states that dogs are subject to restraint and are not permitted to run at large. The Law also states that it is the owner of the dog who can be found liable for damages caused by a dog running at large.

What do I mean by all of this information?

In the line of duty, Officer Gilkerson based on his training, experience, and observation has earned the right and responsibility to protect himself as well as protect the safety of the entirety of the situation (which includes the 2 year old in the back seat, the occupants of the vehicle who were located out of the vehicle, as well as the public passersby's driving on State Route 20.

Again I will say...we can only prepare for but not exactly predict the outcomes of our decisions.

Officer Gilkerson had to make a choice...Was this dog going to bite him, if so, how severe? Was this dog going to run into traffic which could set off a chain of events of cars swerving, causing injury, damage, or death to himself, the 2 year old, the suspects, or the passerby's? If he pepper sprayed it, or tazed it, or shot it would it do the same? While distracted by this dog at large, he had to consider the potential of irreparable harm that could occur due to his limited pat downs and incomplete search of the vehicle...all these questions and considerations...and mere seconds to make a decision.

Officer Gilkerson made his best choice for that particular set of circumstances. And we should consider the outcome that day as favorable for all.

Officer Gilkerson was on duty and operating under professional capacity, so we as the public should not hold him personally accountable or personally attack him for how he chose to control the situation.

In my experience, it's not what you know or think you know, or what you've heard or think you've heard, but what you can prove. If anyone in the public believes there is a fault in the way this matter has been professionally handled, then I encourage these people to investigate for themselves...find the proof. If you do find proof that can produce a different outcome than what is currently documented in public records then bring it to the attention of those that can change the outcome. And if you can't, then accept the outcome as it is. I am offering my help to anyone who would like to responsibly investigate this situation in search of different results.

I believe in Officer Gilkerson's actions in this case. I thank him for his daily service and his protection of this community.

The owners of this dog have questioned why Officer Gilkerson shot their dog. Now this is the toughest part of this whole letter for me...In my opinion, this dog was shot because of lack of personal responsibility in ownership of a dog. The owners of this dog need to hold themselves accountable for what has happened to their dog.

Now, as a dog lover, specifically a lab enthusiast, it has been hard to see the videos and pictures of Moses throughout this situation. I hope he is healing and his recovery will be without further stress on him or his family.

As a dog owner, it is imperative to be their guardian...to protect them and keep them safe.

Thank you all for listening.

# Regular Council Meeting Nov 24, 2014 7pm

Please Sign In:

<u>NAME</u>	<u>ADDRESS</u>
1. Dan GREEN	Woodville
2. J	
3. Kelly O'Connor	226 N. Cherry St Woodville
4. Cara Boop	Woodville
5. Anne Hille	Woodville
6. <del>La</del> <del>La</del>	Ehon
7. James Noble	Woodville
8. Pappy Nicks	Woodville
9. Delle Baker	514 E. St Woodville
10. Tom Beam	209 N. Main
11. Mike Holke	102 E First St.
12. Delia Contreras	524 Howland Fremont
13. LARRY SEDWICKER	1275 W MAIN Woodville
14. Brad Adams	Fort Riley Woodville
15. Lauren Meyer	
16. Tommy Bischoff	
17. Chris & Robin McIntire	Woodville
18. Anna Deal	Woodville
19. Tarran Nelson	Woodville
20. Miriam Obermyer	"

ADDED BY  
Bopk

1. Rob Baker Woodville
2. TED BOWEN

# Regular Council Meeting Nov. 24, 2014 7pm

Please Sign In:

NAME:

ADDRESS:

- |     |                  |                             |
|-----|------------------|-----------------------------|
| 1.  | KAREN SCHERMAN   | 204 WATER                   |
| 2.  | Ken Green        | WOODVILLE                   |
| 3.  | John Johnson     | WOODVILLE                   |
| 4.  | Alexandra Nester | Toledo Bluffs, Toledo       |
| 5.  | Paul Beardsley   | WOODVILLE                   |
| 6.  | Jenif Soren      | <del>WOODVILLE</del> Martin |
| 7.  | Shannon Simmons  | Woodville                   |
| 8.  | Chris Polop      | Woodville                   |
| 9.  | Manal Garcia     | Fremont                     |
| 10. | Kathy Reinhardt  | WOODVILLE                   |
| 11. | Nelson Clapp     | Elmore                      |
| 12. |                  |                             |
| 13. |                  |                             |
| 14. |                  |                             |
| 15. |                  |                             |