

**BOARD OF PUBLIC WORKS AND SAFETY
MINUTES
May 15, 2018**

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, May 15, 2018 at 9:00 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Dawn Ross, Ron Shriner and Norm Childress

Jacque Chosnek, 1st Deputy City Attorney, was also present.

President Henriott called the meeting to order.

The Pledge of Allegiance was given to the flag of our Country.

MINUTES

Mr. Childress moved for approval of the minutes from the May 8, 2018 regular meeting. Mrs. Ross seconded. Passed.

NEW BUSINESS

Lafayette Renew

Contract with Wessler Engineering for Professional Services-2018 Sewer Rehabilitation Project

Brad Talley, Renew Superintendent, presented to the Board and recommended approval of a Contract with Wessler Engineering for Professional Services for the 2018 Rehabilitation Project in the amount of \$22,500.00. This project will help to alleviate chronic problem areas within the city's collection system. Mrs. Murray moved for approval. Mr. Shriner seconded. Passed.

Contact with Christopher B. Burke Engineering, LLC for Professional Services-City's Southeast (SA-7) Utility Service Area Sanitary Sewer Preliminary Design

Mr. Talley presented to the Board and recommended approval of a Contract with Christopher B. Burke Engineering for Professional Services of the City's Southeast Utility Service Area Sanitary Sewer Preliminary Design. This project will extend sanitary sewer with this contract not to exceed \$59,000.00. Mrs. Ross moved for approval. Mr. Childress seconded. Passed.

Contract with Greeley and Hansen LLC for Professional Services

Mr. Talley presented to the Board and recommended approval of a Contact with Greeley and Hansen for Professional Services for the Digester Heating, Capacity and Gas Utilization Preliminary Engineering Report. The contract is not to exceed \$96,600.00. Mr. Shriner moved for approval. Mrs. Ross seconded. Passed.

Purchasing

Declaration of Surplus Property-Economic Development Department

Dave Payne, Purchasing Manager, presented to the Board and recommended approval of a Declaration of Surplus Property for the Economic Development Department. The surplus property includes a Konica Minolta Bizhub C451 Multi-function printer/copier SN A00K0100006372. This item will be donated to a charitable organization. Mrs. Murray moved for approval. Mr. Childress seconded. Passed.

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Declaration of Surplus Property-Police Department

Mr. Payne presented to the Board and recommended approval of a Declaration for Surplus Property for the Police Department. The surplus property includes 4 (four) voice recorders and 2 (two) digital cameras. The items will be sold through PropertyRoom.com. Mr. Childress moved for approval. Mrs. Ross seconded. Passed.

Declaration of Worthless Property-Police Department

Mr. Payne presented to the Board and recommended approval of a Declaration for Worthless Property for the Police Department. The worthless property includes an Arctic Air Commercial Refrigerator, old locked safe and 17 camera carrying cases. This items no longer function properly and/or have no value. Mrs. Murray moved for approval. Mr. Shriner seconded. Passed.

CLAIMS

Tim Clary, Deputy Controller, presented for Board approval, Claims in the amount of \$3,305,483.23. President Henriott asked if there were any further questions and there were none. Mr. Childress moved for approval. Mrs. Ross seconded. Passed.

MISCELLANEOUS

Special Event Request-St. Boniface Outdoor Procession

President Henriott presented to the Board and recommended approval of Special Event Request for the St. Boniface Outdoor Procession to be held on June 3, 2018 from 7:00pm-7:45pm on the streets surrounding the St. Boniface campus. Mr. Shriner moved for approval. Mr. Childress seconded. Passed.

Time: 9:10 a.m.

President Henriott stated that the Board will reconvene in five (5) minutes for the Animal Control Appeal Hearing.

**BOARD OF PUBLIC WORKS AND SAFETY
ANIMAL APPEAL MINUTES
May 15, 2018**

Appeal Hearing:

The Board of Public Works and Safety met on Tuesday, May 15, 2018 at 9:15 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Ron Shriner, Dawn Ross and Norm Childress.

Jacque Chosnek, 1st Deputy City Attorney, was also present.

President Henriott called the meeting to order.

Animal Control Appeal for Jordan Kerkoff

Jacque Chosnek stated that this is an appeal for Phoenix, a pit-bull mix owned by Jordan Kerkoff at 3313 Waverly Drive. Mrs. Chosnek stated that on October 16, 2017 Animal Control Officer (ACO) Manual responded to a dog bite case. ACO spoke with the owners of the injured dog and photographed the laceration on the side of the dog. ACO then contacted Ms. Kerkoff where Ms. Kerkoff advised that Phoenix did get loose. A Dangerous Animal Agreement (DAA) was entered into at that time. Mrs. Chosnek stated that the DAA requires that the animal within a building or a secure enclosure while on its property and restrained while off its property. The DAA further provides that if the animal is not kept restrained it can be impounded and ownership surrendered subject to the right of appeal.

On May 5, 2018 LPD Officer Medrano was dispatched to respond to a dog bite case. Christopher Meyer was walking his dog when Phoenix jumped through an open window and bit his dog on the mouth and ear. Mr. Meyer stated that the owner took the dog inside but did not say anything. LPD Officer Medrano forwarded his report to ACO.

Two days later on May 7, 2018 ACO Manual followed up with Mr. Meyer who recounted the incident. ACO arrived at the Kerkoff home and heard the dog bark inside and observed 2 front windows open. ACO observed the dog acting protectively and territorial of the home. ACO was unable to make contact with the owner at that time. The ACOs returned to the home later in the day and made contact with Ms. Kerkoff. Ms. Kerkoff advised that she was home at the time of the incident. Phoenix had begun barking when he saw the dog and Ms. Kerkoff tried to get his attention away from the dog outside when he pushed through the window. At that time ACOs explained that because Phoenix was already under a DDA and had gotten off property and injured another animal, it was necessary to remove him and Ms. Kerkoff could submit a letter of appeal. On May 8, 2018 Ms. Kerkoff filed her appeal with the Clerk's Office.

ACO Manual stated that Mrs. Chosnek's account of the events was accurate. ACO Manual stated that they showed up at the house and explained that the dog did violate that DDA. ACO Manual stated that the owner cooperated and released the dog to them. The dog has been at the Almost Home Humane Society (AHHS) since. The staff has not had any issues with the dog. ACO Manual answered questions from the Board.

Ms. Kerkoff stated that everything that ACO said was correct. Ms. Kerkoff stated that she tried to speak with the owner of the dog that was bit on May 5, 2018 but the owner was very hostile towards her. Ms. Kerkoff stated that she has taken financial responsibility for the attack on October 16, 2017 and will again take financial responsibility for the attack on May 5, 2018. Ms. Kerkoff stated that Phoenix is a friendly dog and gets along with people. She was aware that Phoenix had altercations with other dogs prior to her adopting him in late 2017. Ms. Kerkoff stated that she has worked for the past 6 months training Phoenix and has been successful. Ms. Kerkoff stated that she has complied with the DAA and restrains the dog when out for a walk and keeps the dog inside. Ms. Kerkoff stated that Phoenix came to the shelter in January 2017 and she adopted him in September 2017. The dog was abused previously but not deemed aggressive. The dog has issues with other animals, not people. Ms. Kerkoff does not have a fenced in backyard but takes that dog out for walks. Ms. Kerkoff stated that when Phoenix jumped out of the window it was through the screen, not the glass. Ms. Kerkoff would like to take the dog to a vet clinic to be evaluated for medicines to combat the anxiety. President Henriott stated that this is a safety issue and the dog seems territorial. Mr. Shriner stated that he is not comfortable releasing the dog back to her. There is a safety concern for the public. Mr. Childress stated that Ms. Kerkoff knew about the issues the dog had prior to her adopting it and there is a lack of control of the animal. Mrs. Ross asked if there are children at

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home. Ms. Kerkoff stated yes there are. Mrs. Ross is concerned about the safety of the children in the home. Mr. Shriner moved to deny the appeal. Mr. Childress seconded. Denied.

Time: 9:31 a.m.

BOARD OF PUBLIC WORKS AND SAFETY

Gary Henriott s/s

President

ATTEST: Mindy Miller s/s

Mindy Miller, 1st Deputy Clerk

Minutes written by Mindy Miller, 1st Deputy Clerk

*A digital audio recording of this meeting is available in the Lafayette City Clerk's Office or online at <http://www.lafayette.in.gov/agendacenter>.

**A list of all permits issued for the preceding week is available at <http://www.lafayette.in.gov/DocumentCenter/Index/375>