

BOARD OF PUBLIC WORKS AND SAFETY
MINUTES
April 27, 2021

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, April 27, 2021 at 9:00 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Amy Moulton, Ron Shriner and Norm Childress.

Jacque Chosnek, 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

Mrs. Murray moved for approval of the minutes from the April 20, 2021 regular meeting. Mr. Childress seconded. Passed.

OLD BUSINESS

Special Event Request-St. Boniface Private Parish Event (Tabled 4/13/2021)

Mrs. Moulton moved to remove this from the Table. Mr. Childress seconded. Removed. President Henriott presented to the Board and recommended approval of a Special Event Request for the St. Boniface Private Parish Event to be held June 4-5, 2021 from 3:00pm on June 4th until midnight on June 5th located on the streets surrounding St. Boniface Church. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

NEW BUSINESS

Purchasing

Declaration of Worthless Property-Lafayette Renew

Dave Payne, Purchasing Manager, presented to the Board and recommended approval of a Declaration of Worthless Property for Lafayette Renew that includes a mower trailer and seven (7) pumps. Mr. Payne stated that the equipment has been replaced and will be scrapped. Mrs. Moulton moved for approval. Mrs. Murray seconded. Passed.

CLAIMS

Jeremy Diehl, Deputy Controller, presented for Board approval, Claims in the amount of \$856,800.27. President Henriott asked if there were any further questions and there were none. Mr. Childress moved for approval. Mrs. Moulton seconded. Passed.

MISCELLANEOUS

Special Event Request-Aviators Street Fest

David Krakower, Event Representative, presented to the Board and recommended approval of a Special Event Request for the Aviators Street Fest to be held on June 19, 2021 from 2:00pm-6:00pm located on the streets surround Columbian Park and Loeb Stadium. Mr. Childress moved for approval. Mr. Shriner seconded. Discussion ensued regarding the Good Neighbor Letter and whether Arni's and the Frozen Custard were made well aware of the closure. Mayor Roswarski suggested that Mr. Krakower double check with the Frozen Custard due to the closure directly affecting their drive-thru business. President Henriott recommended tabling this request until Mr. Krakower can touch base with the Frozen Custard and recommended withdrawing the motion to approve. Mr. Shriner moved to table this item. Mrs. Murray seconded. Tabled.

Special Event Request-Bike to Work Day

Margy Deverall, Event Representative, presented to the Board and recommended approval of a Special Event Request for Bike to Work Day to be held on May 21, 2021 from 7:30am-9:30am on the John T. Myers Bridge. Mrs. Moulton moved for approval. Mr. Childress seconded. Passed.

Banner Request-Indiana Veterans' Home

President Henriott presented to the Board and recommended approval of a Special Event Request for the Indiana Veterans' Home to be hung on Columbia Street from July 20-August 3, 2021. Mr. Shriner moved for approval. Mrs. Murray seconded. Passed.

Time: 9:08 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 April 27, 2021

Appeal Hearing:

The Board of Public Works and Safety met on Tuesday, April 27, 2021 at 9:15 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Ron Shriner, Amy Moulton and Norm Childress.

Jacque Chosnek, City Attorney, was also present.

President Henriott called the meeting to order.

Animal Control Appeal Hearing-Verlyncia Black (Blue and Isis)

Mrs. Chosnek gave a brief description of the procedure for this hearing. Mrs. Chosnek stated that the Board has received copies of incident reports by both LPD and Animal Control Officer (ACO)'s. Mrs. Chosnek stated that the owner of Blue and Isis is Verlyncia Black.

Josh Klumpe, Chief Animal Control Officer, stated that prior to March 10, 2021 ACO's have encounter Blue and Isis Running At Large (RAL) multiple times, returned to the owner multiple times and also taken to Almost Home Humane Society (AHHS) multiple times prior to the Nuisance Animal Agreement (NAA) and the Dangerous Animal Agreement (DAA). The call to ACO's on March 10, 2021 consisted of one of the ACO's impounding the dogs for RAL resulting in a DAA issued to Isis and the NAA issued to Blue. Mrs. Chosnek went over the details of both the DAA and NAA along with the outcome of breaking those agreements. Mr. Klumpe stated that both agreements were signed by Simon Gibbs, the owners' boyfriend and current resident at 1929 Perrine Street. Mr. Klumpe stated that on April 9, 2021 he personally picked up the dogs running loose around 14th Street and Morton Street. The dogs entered the home of a citizen that was bringing in their groceries and Isis had their dogs head in her mouth. Mr. Klumpe stated that there were no injuries to the victim dog. Mr. Klumpe stated that Isis is prey driven and is overzealous. Mr. Klumpe stated that the owner Ms. Black is often out of town so the dogs stay with Mr. Gibbs on Perrine Street.

Mr. Shriner asked roughly how many times the dogs have been picked up from ACO's. Mr. Klumpe stated that ACO's have picked up the dogs at least 6 times or more. Mr. Shriner noted the distance from the home and where the dogs were last picked up from ACO is several blocks away. Mr. Klumpe stated that these dogs have been getting loose since early 2020.

Mr. Childress is concerned about the amount of the fines from the ACO's that were issued to both dogs and commented that this must be a gradual fee schedule. Mr. Klumpe briefly gave an overview of the fee schedule and ordinance fines associated with that.

Ms. Black stated that her permanent residence is 538 Scenic View Avenue, Valparaiso Indiana but her dogs Blue and Isis are currently being taken care of at 1929 Perrine Street while she travels for Covid-19 nursing contracts. Ms. Black is aware that the dogs are getting out frequently while she is away traveling and under Mr. Gibbs care. Ms. Black stated that she was extremely sorry for the dogs being a nuisance and takes full responsibility for their behavior. Ms. Black stated that she has owned both of the dogs since they were 6-weeks old. They are smart enough to open doors and good at getting loose. Ms. Black stated that if she is granted ownership of both dogs again she will relocate them back to Valparaiso with her. The dogs are used to the openness of the property in Valparaiso. Ms. Black stated that she will pay any fees associated with AHHS and the City fines. Mrs. Chosnek reiterated and clarified what Ms. Black stated regarding the dogs; If the Board chooses to return the animals to Ms. Black she will not keep the dogs within the City of Lafayette and relocating them to Ms. Black's permanent address in Valparaiso. Mrs. Chosnek stated that all the fines to AHHS would need to be paid prior to the release of the dogs from the shelter and the fines from the City would need to be paid as well. Discussion ensued. Mrs. Murray asked if the dogs were returned how long before the dogs would be gone out of the City. Ms. Black stated as soon as possible. Mr. Childress asked Mr. Klumpe about the temperament/behavior of the dogs. Discussion ensued. Mrs. Moulton asked how the dogs keep escaping from the residence. Ms. Black stated that dogs are getting loose due to Mr. Gibbs inattention, fence issues, issues with the chain/stake in yard; and the dogs are able to open doors. Mr. Klumpe stated that both dogs are still 'intact'. Ms. Black added that they are current on their rabies vaccine. Mrs. Chosnek instructed the Board on the options they have to approving or denying the appeal and any conditions that are added to the approval, if granted.

Mr. Shriner recommended returning the dogs with conditions that include relocating the dogs to Valparaiso. President Henriott agreed with Mr. Shriner on that recommendation. Mr. Childress stated that he does not agree with the recommendation due to just moving the problem from Lafayette to Valparaiso. Discussion ensued regarding the relocating of the dogs. Mrs. Chosnek recommended the following conditions for the release of the dogs to Ms. Black: all outstanding tickets and fines for the City of Lafayette be paid, all fees are paid to AHHS, dogs be relocated, and if the animals are picked up again by ACO that will be final impoundment with no further appeal. Mr. Klumpe suggested adding a time deadline for these conditions. Ms. Black stated that she would be able to have all the fees, fines and tickets paid by the 2nd week of June. Discussion ensued regarding the timeline of items being paid and the animals staying at the AHHS that long. Mrs. Chosnek reminded the Board that they

are able to bifurcate (payment plan) the City fines but would have to pay the AHHS in full upon release. Discussion ensued regarding the possible conditions of release of both dogs.

Mr. Shriner moved for approval of the appeal with the following conditions: pay all fees to AHHS in the next 5 day, relocate the dogs 48 hours after dogs are released from AHHS to Valparaiso, payment plan for City fines; and if the dogs are picked up again by ACO that will be final impoundment with no further appeal. President Henriott seconded. Ms. Black agreed to those conditions/terms. Passed.

Time: 9:43 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>