

**BOARD OF PUBLIC WORKS AND SAFETY  
MINUTES  
January 17, 2023**

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, January 17, 2023 at 9:00 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Ron Shriner, Norm Childress and Amy Moulton.

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. Moulton moved for approval of the minutes from the January 10, 2023 regular meeting. Mrs. Murray seconded. Passed.

**NEW BUSINESS**

**Engineering**

*Certificate of Completion-N. 10<sup>th</sup> Street Curb, Sidewalk and Ramp Project*

Jeromy Grenard, Public Works Director, presented to the Board and recommended approval of a Certificate of Completion for the N. 10<sup>th</sup> Street Curb, Sidewalk, and Ramp Project with Dixon Construction. Mr. Grenard stated that the warranty period began on January 8, 2023. Mr. Shriner moved for approval. Mr. Childress seconded. Passed.

*Change Order # 1-Cason and 22<sup>nd</sup> Street Curb and Sidewalk Improvements Project*

Mr. Grenard presented to the Board and recommended approval of Change Order #1 for the Cason and 22<sup>nd</sup> Street Curb and Sidewalk Improvements Project with Dixon Construction. The change order is a deduction in the amount of \$1,362.00 which brings the revised contract amount to \$82,381.00. The change order includes a change in scope for drive approaches already previously installed. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

*Certificate of Completion-Cason and 22<sup>nd</sup> Street Curb and Sidewalk Improvements Project*

Mr. Grenard presented to the Board and recommended approval of a Certificate of Completion for the Cason and 22<sup>nd</sup> Street Curb and Sidewalk Improvements Project. Mr. Grenard stated that the warranty period began on January 8, 2023 and there are a few punch-list items that will be completed in the spring. Mrs. Moulton moved for approval. Mrs. Murray seconded. Passed.

**Purchasing**

*Declaration of Surplus Property-Fire Department*

Dave Payne, Purchasing Director, presented to the Board and recommended approval of a Declaration of Surplus Property for the Fire Department that includes a comprehensive list of portable radios, chargers, batteries, cameras, microphones, saws, headsets and a projector. Mr. Payne stated that these items will either be donated to a District 4 fire department or sold on GovDeals.com. Mr. Childress moved for approval. Mr. Shriner seconded. Passed.

## **CLAIMS**

Jeremy Diehl, Controller, presented for Board approval, Claims in the amount of \$4,011,019.82. Mr. Childress asked a question on Page 19 regarding the Duke Energy Invoice for 2200 N. 9<sup>th</sup> Street. Mr. Diehl stated that is an invoice for the Glick Pumping Station. Mrs. Murray moved for approval. Mr. Childress seconded. Passed.

## **MISCELLANEOUS**

### *Banner Request-Boy Scouts of America*

President Henriott presented to the Board and recommended approval of a Banner Request for the Boy Scouts of America to be hung on Columbia Street from March 14-28, 2023. Mrs. Moulton moved for approval. Mr. Shriner seconded. Passed.

President Henriott stated that the meeting will take short break and reconvene in 5 minutes.

Time: 9:06 a.m.

### **Animal Control Appeal Hearing-Yazmin Garcia (Lennox)**

## **BOARD OF PUBLIC WORKS AND SAFETY ANIMAL APPEAL MINUTES January 17, 2023**

Appeal Hearing:

The Board of Public Works and Safety met on Tuesday, January 17, 2023 at 9:10 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Ron Shriner, Cindy Murray, Amy Moulton and Norm Childress.

Jacque Chosnek, City Attorney, was also present.

President Henriott called the meeting to order.

### **Animal Control Appeal Hearing-Yazmin Garcia (Lennox)**

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, the appeal letters from both Lennox's owners and the victim dog owner. Mrs. Chosnek stated that the owner of Lennox is Yazmin Garcia. Mrs. Chosnek stated that Lennox has been determined to be a dangerous animal. Lennox was impounded on January 8, 2023 by Animal Control Officer (ACO) Sarah Goans.

ACO Goans stated that she was dispatched to Thornapple Lane on January 8, 2023 referencing a dog that was attacked by another dog. When ACO Goans arrived at the scene she spoke with Diana Sargent and her daughter Kristen Sargent. They advised ACO Goans that Diana was walking her dog Spencer, who is a Shih Tzu/Chihuahua mix, and her other dog when Lennox came up and attacked Spencer. As a result, Spencer was deceased when ACO Goans arrived. ACO Goans was not present during the actual dog attack. At that time ACO Goans impounded Lennox and explained the appeal process to Ms. Garcia. ACO Goans stated that Ms. Garcia stated at that time that Lennox was leashed when she had him out but he pulled away from her and ran. ACO Goans recommended denying the appeal because the owner is unable to control him which resulted in a dog death-even though he is a good dog otherwise. ACO Goans stated that Lennox is a Pit Bull/Boxer mix.

James Bostic, Lennox's Owner, stated that he got Lennox 4 years ago. Mr. Bostic was very apologetic to Diana and her family. Mr. Bostic stated that Lennox is not an aggressive dog and he was not at home the time of the attack. Mr. Bostic stated that Lennox has helped him through dark times since he has returned from the Air Force. Mr. Bostic stated that they plan on having Lennox participate in obedience training in Ohio, use a muzzle when he is outside and they will move out of their current home.

Yazmin Garcia, Lennox's Owner, stated that she feels so sorry and feels like this is all her fault because she lost control of Lennox. Ms. Garcia stated that she tried really hard to take Lennox out when other dogs are not out. Ms. Garcia stated that she would do anything to keep this from happening again. Ms. Garcia stated the plan for Lennox again with the Board. Ms. Garcia stated that Lennox is a good dog.

Diana Sargent, Owner of Spencer-Victim dog, stated that Spencer is only an 8-pound dog and that this situation was very preventable and even anticipated. Ms. Sargent explained to the Board how and when she walks her dogs around the apartment complex. Ms. Sargent explained that her dogs were not near or even facing Lennox as he was approaching. Lennox approached her dogs and started attacking Spencer at which time Ms. Sargent tried to pull the two dogs apart with no luck. Ms. Sargent stated that there are roughly 9 dogs in the area of the apartment complex that she lives. Ms. Sargent stressed that Lennox was not playing with Spencer, he was attacking him.

Kristen Sargent, Daughter of Diana Sargent, stated that she loves dogs and is concerned about how this situation is and will affect her mother going forward. Kristen Sargent stated that she was not happy that Ms. Garcia didn't help with trying to get Lennox to release Spencer, nor did she apologize afterwards-there is no responsibility shown from Ms. Garcia. Kristen Sargent stated that she is scared for her mother and her mothers' other dog when they go for walks outside.

Mrs. Chosnek stated that the role of the Board is to determine if the appeal is approved (returned) or denied (dangerous animal left impounded). Mr. Shriner stated that this situation is about safety. The worst possible thing happened because the dogs got loose. Mr. Childress moved to deny the appeal. Mr. Shriner seconded. Denied.

Time: 9:27 a.m.

BOARD OF PUBLIC WORKS AND SAFETY

Gary Henriott s/s

President

ATTEST: Mindy Miller Riehle s/s

Mindy Miller Riehle, 1<sup>st</sup> Deputy Clerk

Minutes written by Mindy Miller Riehle, 1<sup>st</sup> 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>