

BOARD OF PUBLIC WORKS AND SAFETY
MINUTES
April 26, 2022

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, April 26, 2022 at 9:00 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Norm Childress, Cindy Murray and Amy Moulton. Absent: Ron Shriner

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 April 19, 2022 regular meeting. Mrs. Murray seconded. Passed.

BID OPENING

18 N. 5th Street Parking Garage 2022 Restoration

President Henriott stated that Addendum #3 was issued on April 25, 2022 to all potential bidders that states the revised Bid Opening date will be May 3, 2022 at 9:00am.

BIDS UNDER ADVISEMENT

Ortman Lane Drainage Improvements Project

President Henriott stated that this item will remain under advisement.

NEW BUSINESS

Legal Counsel

Amendment #1-Agreement between City of Lafayette and Lafayette Arman Lodge #49 FOP

Jacque Chosnek presented to the Board and recommended approval of Amendment #1 for the Agreement between the City of Lafayette and Lafayette Arman Lodge #49 FOP. This original agreement run January 1, 2021 through December 31, 2024. This amendment modifies Specialty Field Categories to reflect the current needs of the Police Department. Mrs. Chosnek stated that one of the new features of the contract was a lateral entry program with paid time off benefits related to that. This amendment will allow anyone regardless of their hire date to receive those benefits, if they are eligible. Mayor Roswarski stated that it is hard to find qualified candidates for the Police Department and this amendment allows the City to use these incentives to remain competitive. Discussion ensued. Mr. Childress moved for approval. Mrs. Moulton seconded. Passed.

Lafayette Renew

Significant Industrial User Permit-Cargill Inc

Josh Terry, Lafayette Renew, presented to the Board and recommended approval of a Significant Industrial User Permit for Cargill Inc. This is a 4-year permit renewal and permitted through the pretreatment program. President Henriott asked questions about flow limit. Mrs. Murray moved for approval. Mr. Childress seconded. Passed.

Purchasing

Declaration of Surplus Property-Information Technology

Dave Payne, Purchasing Director, presented to the Board and recommended approval of a Declaration of Surplus Property for the IT Department that includes seven (7) monitors and six (6) PC's. Mr. Payne stated that these items will be sold on GovDeals.com or recycled. Mr. Childress moved for approval. Mrs. Moulton seconded. Passed.

CLAIMS

Jeremy Diehl, Controller, presented for Board approval, Claims in the amount of \$4,757,978.85. Mr. Childress asked a question on Page 17 regarding OPOTA. Mr. Diehl stated that stands for Ohio Peace Officer Training Academy and is for the Police Department training. Mr. Childress asked Mr. Diehl was the status is on the Murdock Park project. Mr. Diehl stated that the project is 87% complete as of March 2022. President Henriott asked a question about the fuel hedge program and the high fuel prices that we are experiencing. Mr. Diehl stated that the City is currently receiving a monthly reimbursement check and is benefiting from the program. Discussion ensued. Mrs. Moulton moved for approval. Mrs. Murray seconded. Passed.

President stated that the Animal Appeal Hearing would begin in five (5) minutes.

Time: 9:11 a.m.

Animal Control Appeal Hearing-Tabitha Prater

BOARD OF PUBLIC WORKS AND SAFETY

ANIMAL APPEAL MINUTES

April 26, 2022

Appeal Hearing:

The Board of Public Works and Safety met on Tuesday, April 26, 2022 at 9:15 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Amy Moulton and Norm Childress. Absent: Ron Shriner

Jacque Chosnek, City Attorney, was also present.

President Henriott called the meeting to order.

Animal Control Appeal Hearing-Tabitha Prater

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 Bubba is Tabitha Prater.

Sara Goans, Animal Control Officer (ACO), stated that she has experience with Bubba in the past. The first encounter with Bubba was October 2021 when Bubba and another one of Ms. Praters dogs had gotten loose and attached the neighbor's dog which resulted in an animal bite. ACO Goans stated that there is video footage. A Dangerous Animal Agreements (DAA) were issued at that time and signed by Ms. Prater for both Bubba and her other dog. Mrs. Chosnek gave a brief description of what the DAA entails. ACO Goans stated that there was an incident in March 2022 but she was not involved with that call. ACO Goans stated that there was another incident on April 12, 2022 where Bubba got loose again and attacked the same dog. ACO Goans stated that the owner of the victim dog called ACO and told them that she was out walking her dog when Bubba broke through the back fence of his house and attacked her dog. The victim dog sustained puncture wounds to the neck and right forearm which all required vet care. ACO Goans stated that she then contacted Ms. Prater because Bubba violated the DAA. ACO Goans advised Ms. Prater that she going to remove Bubba because of the DAA when Ms. Prater stated that she had sent Bubba away with her brother who was on foot. Ms. Prater stated that her brother was going to take Bubba to the country to live. ACO Goans told Ms. Prater that the dog needed to be returned to the house so it can be removed and taken to Almost Home Humane Society (AHHS). ACO Goans waited for the dog to return and then removed it the next day. ACO Goans stated that Bubba is currently at AHHS. Bubba has attacked the same dog all three (3) times that ACO's were called. President Henriott asked if the victim dog was on a leash. ACO Goans confirmed that the victim dog has been on a leash/harness each time that it has been attacked.

Tabitha Prater, 1011 S. 4th Street, stated that she is the owner of Bubba and that he is not a vicious dog. Ms. Prater confirmed that she entered into the DAA for Bubba in October 2021. Ms. Prater does not know why Bubba keeps attacking the same dog, but he does. The bottom gate has been secured and Bubba should not be able to get out from there again. Ms. Prater stated that she is open to putting him on a collar and leash each time outside and taking him out personally. The back gate has been fixed per ACO's. Ms. Prater explained that she has a fenced in yard within her already fenced in yard for the dogs. Ms. Prater stated that Bubba is the only dog that she has a problem with getting out of the fenced in yard. Ms. Prater stated that Bubba is her best friend and she promised that he won't get out again. Mr. Childress asked if all the repairs have been made to the property to keep the dog within the yard. Ms. Prater confirmed that. Mr. Childress asked if ACO's has seen the updated repairs. Ms. Prater stated that they have not. President Henriott stated that it is hard to tell if the repairs that have been made will in fact keep Bubba in the back yard. President Henriott stated that the neighbor and victim dog have to be terrified to walk down the street and that is not good.

ACO Goans stated that she has not seen the improvements to the fence. ACO Goans also stated that the neighbors were irate this last attack and paying the vet bills each time. ACO Josh Klumpe stated that Bubba is a very people friendly dog but has a problem with attacking the neighbor's dog.

Mr. Childress asked Ms. Prater about re-homing the dog someplace off of property. Ms. Prater confirmed that is still an option. President Henriott stated that the only thing that would happen is to export the problem elsewhere. Mrs. Moulton moved to deny the appeal due to public safety. Mrs. Murray seconded. Denied.

Time: 9:28 a.m.

BOARD OF PUBLIC WORKS AND SAFETY

Gary Henriott s/s

President

ATTEST: Mindy Miller Riehle s/s

Mindy Miller Riehle, 1st Deputy Clerk

Minutes written by Mindy Miller Riehle, 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>

Mrs. Chosnek stated that

Time: 9: a.m.

BOARD OF PUBLIC WORKS AND SAFETY
Gary Henriott s/s
President

ATTEST: Mindy Miller Riehle s/s
Mindy Miller Riehle, 1st Deputy Clerk

Minutes written by Mindy Miller Riehle, 1st Deputy Clerk

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