

Animal Control Commission

January 24, 2021 at 5:30pm

**Bloomington Animal Shelter – Zoom Meeting
3410 South Walnut Street, Bloomington, IN 47401**

MEMBERS

Sue Allmon -present via zoom
Sita Cohen -present via zoom
Chris Hazel -present via zoom
Valerie Pena -present via zoom
Nancy Riggert -not present
Laura Soto – not present

GUESTS

Deanna Caven

STAFF

Jacquelyn Moore – present via zoom
Lisa Ritchel – present via zoom
Virgil Sauder – present in person
Nick Steury – present via zoom

I. APPROVAL OF MINUTES

Sita moved to approve the December 13, 2021 minutes as written.

Sue seconded.

Roll call vote: Sue: “yes,” Sita: “yes,” Chris: “yes,” Valerie: “yes.”

Motion passes 4-0-0.

II. NEW BUSINESS

i. Request to Declare Habitual Offender – Simmons

Virgil began by explaining that all three Animal Control Officers and many of the shelter staff members have dealt with Kaiser, a dog owned by Tracy Simmons. Since October 2021, there have been four incidents where an ACO has picked up Kaiser and impounded him due to having issues getting in contact with his owner. Recently on January 4, 2022, the shelter received a call that someone was dragging a dog down the street which turned out to be Kaiser. The owner explained that it was a game she was playing with her dog. Virgil described Kaiser as a friendly, outgoing, and well-socialized dog who is not a public safety issue, just a chronically at large dog. Virgil added that he had hoped Kaiser’s owner would be in attendance to tell her side of the story. Animal Control is requesting that Ms. Simmons be declared a Habitual Offender, but is not looking to remove ownership, just for possible solutions and remedies to the continued at large issue.

Valerie asked Virgil if Ms. Simmons had explained why this is happening. He answered that she has said that someone has come into her apartment and let Kaiser out, or that her door is not shutting all the way, although ACOs did not find any issues with her door. Virgil added that ACOs have tried to work with her, but have not been able to make a connection or find a solution. Sita then asked if Kaiser was off leash when picked up. Virgil explained that when Kaiser has been found his owner is not close by and one time Kaiser was over a mile from home. Kaiser loves to explore! He added that Kaiser does not have a fenced in yard and lives in an apartment. Valerie asked if Ms. Simmons has been ticketed, he answered in the affirmative but explained that she has not paid. He explained that she had four, failure to

restrain offenses and each time the ticket doubles. He added that while another ticket is an option, it is not a deterrent for Ms. Simmons as she does not have the ability to pay. Sue then asked if we have her current address, and noted that he has been picked up in a variety of locations. Virgil stated that her address is on Kimball Drive, Apartment 14. Virgil added that Ms. Simmons has a lot going on in her life currently and doesn't have many resources, but loves her dog. Kaiser is both neutered, which happened after his second offense at large, and current on rabies vaccination.

Since Ms. Simmons was not in attendance to discuss the matter, Valerie suggested sending her a letter directly from the Commission asking her to attend the February meeting, to emphasize the seriousness of the matter, and to inform her that a Habitual Offender status could potentially remove the ownership of her dog. Sita agreed and stated that she doesn't have a lot of confidence that things will improve, but would like to hear Ms. Simmons' side of the story. Sue added that she is concerned for the safety of the dog and Chris noted that Kaiser could get run over or stolen.

Chris moved that the Commission send a letter requesting Ms. Simmons' presence at the next meeting and informing her that if she fails to appear she will be declared a Habitual Offender with the possibility of losing ownership of her dog.

Sita seconded.

Roll call vote: Sue: "yes," Sita: "yes," Chris: "yes," Valerie: "yes."

Motion passes 4-0-0.

Jackie stated that she would draft the letter and email it to Valerie. Jackie added that per ordinance the Commission could also prohibit Ms. Simmons from owning any new animals for up to three years.

Chris moved to amend her motion to include language stating that if the owner is declared a Habitual Offender she could potentially not own any new pets for the next three years.

Sita seconded.

Roll call vote: Sue: "yes," Sita: "yes," Chris: "yes," Valerie: "yes."

Motion passes 4-0-0.

ii. Nuisance Wildlife

Virgil explained that the nuisance wildlife issue has taken him longer to work on than anticipated, but he is nearing the end. He asked the members for assistance on the following tasks:

1. Create a nuisance wildlife survey to send out Bloomington-wide, with a focus on deer, which is a concern for Council. Then tally the responses and collate the data.
2. Proofread all materials both for content and grammar.

Both Valerie and Sue offered to proofread and Chris offered to create the survey. Virgil thanked everyone and indicated that they would get together sometime in the next few weeks.

iii. Request to Declare Potentially Dangerous – Ruger

Officer Steury explained that he responded to a bite case on October 18, 2021, where a large dog left its yard and attacked a standard poodle that was being walked by its owner. Officer Steury explained that the poodle had severe injuries including multiple bites and tears. The six+ punctures required stitches and multiple drains. Ms. Caven, the owner of Ruger, the attacking dog, explained to him that she was leaving her front door, when her Chihuahua bolted and Ruger slipped past her and attacked the poodle.

Officer Steury explained that Ruger was up to date on his rabies vaccination and he had no issues during his quarantine. He informed Ms. Caven that Ruger could be deemed Potentially Dangerous II and she understood and said she would comply fully.

Deanna Caven was present and explained that her dogs were both wearing leashes. Her Chihuahua saw the dog outside and her bigger dog tried to guard the Chihuahua and pulled out of Ms. Caven's hand and ran past her. She explained that she was not aware of how defensive Ruger is or the extent of his anxiety issues. Now whenever going outside, Ms. Caven uses the buddy system and has an extra leash attached to her. Ruger also wears a muzzle and a shock collar that Ms. Caven can beep as a third backup. She added that she has a fenced in back yard and Ruger is chipped and neutered and was originally from the animal shelter. Valerie thanked her for being so responsible. Sue also thanked her for being so proactive and for taking ownership of what happened.

Valerie then asked Virgil to share the Potentially Dangerous flow chart and requirements for the Commission. The Commission discussed the request. Sita then suggested declaring Ruger PDI rather than PDII because Ms. Caven has already taken the right steps and has shown responsibility. Valerie added that an owner can request that a PD declaration be removed after a year.

Sita moved to declare Ruger Potentially Dangerous I based on the responsibility his owner has already shown.

Sue seconded.

Roll call vote: Sue: "yes," Sita: "yes," Chris: "yes," Valerie: "yes."

Motion passes 4-0-0.

Virgil suggested that Ms. Caven reach out to Emily Herr who does behavior for the animal shelter. Ms. Caven indicated that she knows Emily already as she is one of her admins for the Facebook group she started, Bloomington Indiana Lost and Found Pets. Ms. Caven agreed to talk with Emily about Ruger.

VI. ADJOURNMENT

Valerie then asked if someone could lead the remainder of the meeting as she needed to depart.

Virgil moved to table the remainder of the agenda until February's meeting.

Roll call vote: Sue: "yes," Sita: "yes," Chris: "yes," Valerie: "yes."

Motion passes 4-0-0. The meeting adjourned at 6:15pm.