

Animal Control Commission

September 16, 2024, at 5:30pm

MEMORANDUM

**Bloomington Animal Shelter – Hybrid Zoom and In Person Meeting
3410 South Walnut Street, Bloomington, IN 47401**

MEMBERS

Sue Allmon – not present
Sita Cohen – present in person
Chris Hazel – present in person
Brandt Ludlow – present in person
Valerie Pena – present in person
Laura Soto – present via zoom

GUESTS

Tammy White – present in person
Kenny White -- present in person

STAFF

Aleksandrina Pratt – present via zoom
Virgil Sauder – present in person
Nick Steury – present in person

I. APPROVAL OF MINUTES

Sita thanked Lisa for capturing a large amount of good information in the August Minutes. Brandt moved to approve the **August 12, 2024**, minutes as written.

Valerie seconded.

Roll Call Vote taken: Laura-“yes,” Brandt “yes,” Chris-“abstained,” Sita- “yes,” Valerie-“yes”

Motion passes, 4-0-1.

II. NEW BUSINESS

i. Citation appeal – Sipes

Ms. Sipes was not present for appeal. Virgil explained that the normal course of action for an appeal when the appellant does not show is to automatically deny the appeal. Bloomington Animal Care and Control would like the Commission to go ahead and consider the appeal due to the violator and victim working on making restitution for injury. Due to the Animal Control Officer being unable to be present, Virgil presented the case. He stated that Ms. Sipes’ neighbors’ cats were frequently on property causing frustration. She shot at the cat not intending to hit him, but the cat was injured. Since the citation was written, the parties have worked to do restitution. Copies of the contract and payments were in the packet. We feel it was an open and shut use of a firearm to injure an animal and the citation for abuse, neglect with injury that causes pain.

The Commission discussed. Chris stated that animal abuse is animal abuse, and that this is two different things, paying a vet bill versus shooting a cat. She feels the citation should stand. Valerie agreed.

Chris moved to deny the appeal and that the citation will stand.

Roll call vote: Laura-“yes,” Brandt “yes,” Chris-“yes,” Sita- “yes,” Valerie-“yes.”
Motion passes, 5-0-0.

ii. Citation Appeal - White

Virgil introduced the case and stated that the packet included a long history with Tammy and Kenny White. This was provided to show the large number of animals coming from their location. Animal Control heard from people and rumors that these were actually all their animals that they did not want any more, could not find homes for, or could not sell. Animal Control was never able to find solid proof, but they have a history of that possibly happening here.

Officer Steury stated that the case regarding the appeal began on 8/22/24 when Animal Control received calls from the Whites that a stray dog was left tied outside of a residence. AC then received calls that this dog was the White’s dog. AC discussed with them that day how many dogs they had and that they needed a kennel permit for anything past four dogs. They admitted that the dog they called us to pick up was obtained by them for a friend. They said they had only four dogs and brought four dogs out of the house for inspection. All dogs appear healthy and clean. Officer Steury stated that they offered to do an inspection for the permit at that time if they would like to apply at a later date. The Whites allowed the officers to enter the home who reported everything looked good and that they had a good set up for dogs. Officer Ennis observed Ms. White running out of the home with a fifth dog. They said that the dog was a neighbor’s and they were just watching it. Kenny White indicated which neighbor by pointing at the unit’s door. Officers returned to the location the next day to check with the neighbor. The door was incorrect. Officer Steury checked in with Tammy White who stated it was a different neighbor. Officers knocked on that door and the neighbor came out holding the puppy. Neighbor started saying it was theirs. Officers questioned the neighbor about specific information on that dog and the neighbor was unable to answer. They then admitted that Tammy told them to lie. At this point the officer confronted Tammy about lying and that this could be seen as obstructing an Animal Control Officer from doing their duty. They claimed that neighbors bring animals and dump them on their doorstep. AC informed them that people have stated that they have gone and picked up these dogs. A neighbor also stated that Kenny goes on websites to get dogs. This activity put them over the limit of four dogs. The neighbor asked if officers were willing to work with them if they surrendered the puppy. Officers agreed at that point to not cite them for obstruction but to keep the failure to obtain a kennel permit active. The puppy was surrendered to the shelter. Sita asked about the status of the animals. Three of the four animals are not spayed or neutered. All are in good shape and are up to date on vaccinations. Chris stated that it appears from the list that a lot of the animals brought in had issues. Virgil verified that they did come to the shelter in a variety of conditions. Sita noted that this took up a lot of time and resources over the years.

Kenny White stated that he picked up Alfie for a friend of his. It did not end up working out with her dogs. He asked a friend to look after Alfie until he could do something with it. He was asleep when the dog was tied in front of their house and Animal Control was called. He stated that Tammy did go get the young puppy and brought it home. Kenny stated that people have dropped off a lot of animals at their home.

Sita then asked why they did not take the opportunity to apply for a permit. Kenny explained that was the same day that they gave away the puppy, so they did not need the permit. Tammy did not comment. Chris expressed concerns about the intact animals in the home and the chances of them reproducing.

Kenny stated that he does not intend to breed and explained that they let the dogs play together, but if they notice something they do not put them together. Valerie inquired why they did not pursue the permit option if they keep bringing animals into their home. Kenny stated that the dogs do not come into the home, but that he immediately calls Animal Control when they show up. Valerie expressed concern that they are out looking for animals with the intent to rehome them. Kenny stated that he does go and get dogs and then finds homes. Valerie reiterated that if this is the activity that he wants to do, as soon as he takes responsibility for another animal, that puts him over the four and he is required by ordinance to obtain a kennel permit. Chris again expressed concern that the dogs in the home are not spayed and neutered. Brandt stated that unintended pregnancies can happen. Kenny indicated that he is not interested in spaying and neutering his dogs. Dr. Soto indicated that this is another conversation and that the Commission needs to focus on the citations in question.

The Commission moved into discussion. Valerie stated that they have three possible options: deny the appeal, put the citation on hold for a period of time and uphold the appeal if no other violations, or uphold the appeal. Valerie states that the lie to the officer does create a lack of trust. Valerie feels the goal in this case is to keep them to the four dogs.

Valerie moved to put the citation in abeyance for one year with the Animal Control Officers conducting routine monitoring and inspections.

Chris seconded.

Roll call vote: Laura -“yes,” Brandt - “yes,” Chris -“yes,” Sita - “yes,” Valerie -“yes.”

Motion passes, 5-0-0.

III. Reports

a. Animal Care and Control Report

Virgil stated that it is still a busy time at the shelter. The shelter has seen one of the highest years of litters of puppies entering the shelter in a long time. Today the shelter started the adoption promotion “Fall in Love” with reduced fees of sixty dollar dogs and forty dollar cats. Adopt a Dog Month begins in October and dog adoptions will be reduced to forty dollars. Virgil presented possible changes to the ACC’s duties proposed by a working group with the City. These changes would have recommendations for Ordinance changes going to both Council and the Mayor.

b. MCHA Update

Valerie stated that the Run for the Animals will be held on October 6th. It is a new route and the hope is that the event will become even more popular. The Run will go through Karst and Monroe County Fairgrounds. Microchipping and vaccination clinics continue to occur.

c. AMC Update

Virgil shared that there are currently two decisions made by the AMC that are being appealed through the Courts. Last meeting there were a couple of cases where the Animal Management Officers brought cases that did not fit the ordinance, due to frustrations at not being able to deal with the issue in other ways.

IV. Animal Control Discussion

No discussion.

V. ADJOURNMENT

Chris moved to adjourn.

Valerie Seconded.

Roll call vote: Soto-“aye”, Brandt-“aye”, Chris “aye”, Valerie “aye” Sita “aye”

Motion passed 5-0-0.