

CITY OF ESSEX JUNCTION CITY COUNCIL SPECIAL MEETING AGENDA – Revised 1/30/25

Online & 145 Maple St. Essex Junction, VT 05452

Monday, February 3, 2025 6:00 PM

E-mail: <u>admin@essexjunction.org</u> www.essexjunction.org Phone: (802) 878-6944

This meeting will be in-person in the Community Room at the Essex Police Department located at 145 Maple Street and available remotely. Options to watch or join the meeting remotely:

- JOIN ONLINE: Join Zoom Meeting
- JOIN CALLING: (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787
 - 1. CALL TO ORDER [6:00 PM]
 - 2. AGENDA ADDITIONS/CHANGES
 - 3. APPROVE AGENDA
 - 4. **PUBLIC TO BE HEARD**
 - a. Comments from Public
 - 5. **PUBLIC HEARING**
 - a. *Potentially Vicious Dog Bite Hearing
 - 6. **BUSINESS ITEMS**
 - a. Re-warn the Land Development Code Amendment Public Hearing from 2/12/25 to 2/26/25
 - 7. **DELIBERATIVE SESSION**
 - a. *A deliberative session may be needed
 - 8. ADJOURN

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the President. Regarding zoom participants, if individuals interrupt, they will be muted; and if they interrupt a second time they will be removed. This agenda is available in alternative formats upon request. Meetings of the City Council, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the City Manager's office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.

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51 Essex Police Officer Depasquale provided a summary of the complaints received to date from 51 Main Street, Unit 1 (Mr. Williams' place of residence), based on the collection of police reports received since 52 53 August. He spoke about the August 22, 2024 incidents, where complaints were received about a dog

CITY OF ESSEX JUNCTION CITY COUNCIL SPECIAL MEETING **MINUTES OF MEETING February 3, 2025**

COUNCILORS PRESENT: Raj Chawla, President; Amber Thibeault; Vice President; Tim Miller, Clerk,

Marcus Certa, Elaine Hanev.

ADMINISTRATION: Regina Mahony, City Manager; Paul Courtois, Essex Police Lieutenant;

Tyler Depasquale, Essex Police Officer; Isabel Lardner, Animal Control Officer; Elle Lenzini, Animal Control Officer; John Rowell, Health Officer, Ashley Snellenberger, Communication & Strategic Initiatives Director.

Tiena Flores, David F., Jim Waite, Isaiah Williams

1. CALL TO ORDER

OTHERS PRESENT:

City Council President Chawla called the meeting to order at 6:30 P.M.

2. AGENDA ADDITIONS/CHANGES

City Manager Mahony requesting reversing the agenda order so that #6a is #5a, and vice-versa.

3. APPROVE AGENDA

City Council President Chawla made a motion, seconded by Councilor Miller, to switch the order of #5a and #6a on the agenda. The motion passed 5-0.

4. PUBLIC TO BE HEARD

a. Comments from Public

None.

5. **BUSINESS ITEMS**

a. Re-warn the Land Development Code Amendment Public Hearing from 2/12/25 to 2/26/25

Councilor Miller made a motion, seconded by City Council President Chawla, that the City Council re-warn a public hearing for the Land Development Code amendments as discussed on January 22, 2025 from February 12, 2025 to February 26, 2025, so that proper notice requirements can be met. The motion passed 5-0.

6. PUBLIC HEARING

a. *Potentially Vicious Dog Bite Hearing

City Council President Chawla noted that this comes as a request from Essex Police Lieutenant Paul Courtois regarding Isaiah Williams and his dog Kanin. He noted that Kanin has recorded four bites with the Essex Police Department, on August 22, 2024, October 27, 2024, December 8, 2024, and January 12, 2025, and further noted that Kanin is not registered with the City of Essex, nor has had rabies shots since August, 2023. He noted that as of January 15, 2025, Mr. Williams has not had the dog vaccinated nor registered, though he had been instructed to do so. City Council President Chawla then swore in the witnesses who will give testimony during tonight's hearing. Councilor Thibeault noted a conflict of interest and recused herself from tonight's proceedings.

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being off leash who had chased an individual, and a complaint was lodged in which an individual was bitten three times by an aggressive dog near 53 Main Street, for which she later sought medical attention. He read a statement from the individual about this experience. He spoke about an incident on September 29, 2024, where an individual with a leashed dog was walking by 51 Main Street and they were charged at by a large, unleashed dog. He noted that an officer advised Mr. Williams to keep his dog leashed while outside. He spoke about an incident on October 27, 2024, where an officer was bitten by the dog at 51 Main Street while responding to a domestic disturbance in the residence, and that the officer received medical treatment for the bite after the incident. He spoke about an incident on December 8, 2024, where a dog bite victim was treated at the University of Vermont Medical Center, which notified the City of Essex Junction that the dog bite was from a violent dog housed at 51 Main Street, Essex Junction. He spoke about an incident on January 4, 2025 of a complaint received from a resident of 53 Main Street who was cornered by a vicious dog from 51 Main Street while she was trying to take out her trash. He spoke about an incident on January 12, 2025 where the Police Department and Essex Rescue responded to a dog bite complaint at 51 Main Street from an individual visitor who was bitten inside the unit while trying to replace the unit's smoke detectors. Officer Depasquale said that the dog described in these incidents has been identified as a 2-year-old Cane Corso named Kanin and the owner has been identified as Isaiah Williams, that Kanin has been involved in four unprovoked attacks since August 2024, and that he has requested this dog hearing.

Councilor Certa asked if the sidewalk counts as part of the premises, and Officer Depasquale replied that public sidewalk would be considered off premises. City Council President Chawla asked if the tickets have been paid, and Officer Depasquale replied that he is not aware of the ticket status. City Council President Chawla asked whether a common area in an apartment building is considered off premises given that it is outside of the dog's primary residence. He said that he is assuming that they haven't heard about some incidents because they occurred off premises. Officer Depasquale replied that 51 and 53 Main Street have different landlords and no property dividers.

City Manager Mahony asked if there are any further updates since the time of reporting on whether the dog has been registered or vaccinated. Officer Depasquale replied that he has not received any additional updates. City Manager Mahony noted that there was another incident involving this dog last week, and Officer Depasquale said that the department is looking into this incident further at this time.

Councilor Certa noted that the individual in the August 22, 2024 dog bite issue did not issue a written statement until January 2025 and asked why, and Officer Depasquale replied that she was hesitant about making a complaint against the dog because she did not want it to be put down.

Isaiah Williams and Taina Flores spoke as the defendants and owners of Kanin. Ms. Flores said that when people are in the house and are making certain movements, Kanin has started acting the way he is acting in the past 9 months. She noted that this is the first dog they have had as a puppy. Mr. Williams said he tries to be home more now that the dog's behavior is becoming an issue, and emphasized that he is not an aggressive dog. He said that he thinks some of the behavior may be due to the fact that he is not home as much with the dog. Ms. Flores said that Kanin is protective of her and her son against individuals that come into the house that Kanin may perceive as strangers. Ms. Flores clarified that their apartment unit does not share a hallway with neighbors, and they have their own front door and back door. City Council President Chawla asked for clarification on how the dog has been able to get out of control. Ms. Flores clarified that the December 8, 2024 incident was the result of Kanin perceiving aggressive behavior between a visitor staying at their apartment and one of their friends. She said that she has received suggestions that they get Kanin fixed, which may help solve the aggression issues. She said that she has scheduled a second rabies vaccination with her veterinary clinic for Monday, February 10, 2025.

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Councilor Certa asked if there is a way to secure the animal on the property, and Ms. Flores replied that they have a long chain to secure Kanin. City Manager Mahony asked how the dog is getting out of the house off-leash. Mr. Williams replied that he thinks the dog is escaping when the door is left open accidentally.

Animal Control Officer Lenzini said that the City's latest record is that Kanin's last vaccination was on August 2, 2023 and that his next was due on August 2, 2024, and that he is not registered with the City. She noted that neutering dogs typically reduces certain types of behaviors and calms dogs down somewhat. Health Officer Rowell added that after the first dog bite incident, he tried unsuccessfully to follow up with the owners of Kanin about information for free rabies clinics, given that they had cited financial barriers to vaccination. He said that he has also been in contact with Kanin's owners a number of times, given that he has received multiple complaints about the dog being loose and acting aggressively toward people.

City Manager Mahony asked if they have any recommendations on appropriate next steps, given these circumstances. Animal Control Officer Lenzini replied that her biggest recommendations would be neutering the dog, seeking out professional training, and taking steps to secure the dog on the premises more successfully. She said that if the City Council deems that the dog should be removed from its current living situation, she has contacted the humane society, which is willing to take him in. Animal Control Officer Lardner said that she has been in contact with the humane society and that given the brief description of the four dog bite incidents, the animal care manager said that behavioral euthanasia is a likely outcome in this case if the dog is surrendered to the Humane Society. She said that a dog with a bite history like this would be difficult to find an appropriate placement for, but acknowledged that the bites have been minor and the dog has willingly released them, which are factors in favor of this behavior being more about management than anything else. She noted that this particular breed of dog is bred to be a guardian and are predisposed to be protective of their property, but she ultimately acknowledged that placement organizations will have a difficult time placing this dog in an adoption.

Councilor Certa noted that some of these management solutions could potentially be costly, and asked if Mr. Williams and Ms. Flores would be willing to entertain them, if the Council were to require this level of training. Animal Control Officer Lardner said that she could provide contact information for several recommended trainers but that she does not know the cost at this juncture, and Ms. Flores said she would need to know the cost in order to determine if she could afford it. She said that she wants to do everything she can to make sure Kanin's behavior is improved.

City Manager Mahony asked if more physical barriers could be put up to ensure the dog does not get outside, and Mr. Williams replied that they could look into putting a screen on the back door or gate on the porch. City Manager Mahony asked if they would be willing to muzzle the dog, and Mr. Williams and Ms. Flores replied that they would be willing to use a muzzle. City Manager Mahony asked if they think they will be able to train the dog and take the steps necessary to curtail this behavior, or whether they would be willing to give up the dog. Ms. Flores replied that she is confident they can improve Kanin's behavior.

7. DELIBERATIVE SESSION

a. *A deliberative session may be needed

Councilor Miller made a motion. seconded by City Council President Chawla, to enter into deliberative session. The motion passed 4-0.

8. ADJOURN

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Councilor Haney made a motion, seconded motion passed 4-0 at 7:10 P.M.	by Councilor Miller, to adjourn the meeting. The
Respectfully Submitted, Amy Coonradt	