

Hampton Animal Control Advisory Committee

Meeting Minutes – July 21, 2016

Present: Jim Thornton, Andy Anderson, Debbie Sheffield, Linda Seely, Melanie Paul, Steve Bond, Angie Taylor; (Staff) Annette Oakley [City Manager's Office], Art Mertz [Parks & Recreation], Therese Price [City Attorney's Office]; (Guests) Mayor Donnie Tuck, Chief Terry Sult, Laverne Johnson [Interpreter], Chuck Jackson

Call to Order & Welcome

Chairman Thornton called the meeting to order at 5:35 p.m. He welcomed Mayor Donnie Tuck. Mayor Tuck stated he is happy to be in attendance and is trying to attend as many Boards & Commission meetings as he can. Chairman Thornton asked members and guests to introduce themselves.

Review Agenda & Approval of Minutes

Chairman Thornton reviewed the meeting agenda. He called for a motion to approve the agenda.

ACTION: Andy Anderson made a motion to approve and Debbie Sheffield seconded. A vote was taken and motion passes.

Chairman Thornton stated the May meeting minutes were distributed for review and asked if there were any changes. There being none, he asked for a motion to approve the minutes.

ACTION: Debbie Sheffield made a motion and Andy Anderson seconded. A vote was taken and motion passes.

City Manager's Report

Mr. Bond reported there is new leadership in the City with Mayor Tuck and Councilman Jimmy Gray, who served on this committee as the liaison for the City Manager's Office. Mr. Bond stated the City Council is interested in animal issues and they are looking forward to input from the Animal Control Advisory Committee.

Mr. Bond also reported on the hiring of the new Animal Control Director, stating there are two very good candidates and a selection should be made soon.

Animal Control Report

Angie Taylor reported there is an Animal Control officer who is resigning, so they are posting that position, which means they now need two vacancies filled. One will be in training, so Animal Control may need to shorten their hours. Mr. Anderson inquired if retention was a problem. Ms. Taylor stated there are constant calls, so work falls on those who remain in Animal Control.

Ms. Seely mentioned a citizen concern; someone found a sick dog and called a rescue group to take the dog and they found it had many health issues. She stated Animal Control had been called previously in regards to the dog. The citizen didn't want to personally call Animal Control because they had pit bulls living in their van that needed rabies shots. Ms. Seely inquired if Animal Control had any calls on this. Ms. Taylor stated she would have to research if/when they responded out. She stated Animal Control is required to verify rabies and license, and they give citizens the opportunity to get the rabies shots. Ms. Taylor advised Ms. Seely to ask the citizen to give her a call and she will talk with her about the concerns.

Current Issues/Trends – No Issues

Old Business

- Leash Law (Running at Large) - Chairman Thornton gave background on previous discussions regarding the leash law issue, and also stated Ms. Bates has submitted a proposal for the committee to review (copy on file). He stated Ms. Price reviewed the language and it is legally sufficient. He stated there were some questions at a previous meeting in regards to enforcement issues. Ms. Price had provided information at a previous meeting and proposed an amendment to Statute 5-38 to change the penalty. She stated Ms. Bates' proposal changes the scope of 'at large' definition; this would also change the same code section Ms. Price would like to change. Therefore, she recommends, if the committee desires the change, then take both recommendations to City Council at the same time. Chairman Thornton stated Ms. Paul also has a proposal in support of the leash law, which she provided to the committee (copy on file). She inquired about changing the word 'permit' in the ordinance. After some discussion, the committee had a chance to review Ms. Bates proposal. Chairman Thornton then read the proposal out loud and called for a motion to accept.

Ms. Taylor commented that the proposal is enforceable.

ACTION: Linda Seely made the motion and Melanie Paul seconded. Chairman Thornton asked if there was any discussion.

Ms. Taylor provided handouts on information regarding dog attacks (copy on file). The committee discussed the information.

Mr. Mertz also spoke on behalf of Parks & Recreation, stating they would support the proposal, as the current one is difficult to enforce. He mentioned City code 7-49, which prohibits dogs at all in public beach areas at certain times of the year; this helps with safety issues.

Ms. Price reinforced what Ms. Taylor presented with her numbers, and stated most of her prosecutions are because of dogs leaving their owners property. She stated the Chief pointed out an interesting view; that there is a conflict with the no tethering ordinance and criminalizing dogs being at large. She would be interested to see if there has been an increase of dog attacks while at large since passing the no tethering ordinance – if there is an unintended by-product of illegalizing tethering and maybe an increase in dogs being able to get off their owner's property.

Chairman Thornton opened the floor to comments by the Animal Control Advisory Committee:

- Ms. Sheffield inquired, if we were to change the leash law, what about the times when dogs would run loose in the summer, such as on the beach. Mr. Mertz stated they don't allow dogs off leashes in public parks, unless it's in a designated bark-park. He stated Parks would mirror what the committee recommends.
- Ms. Seely stated she is 100% for the leash law and gave examples of potential attacks she has witnessed.
- Ms. Paul stated she would like the committee to review the proposal she drafted. She also gave an example of potential attacks by dogs under voice control of other dogs on a leash in her neighborhood. She is in favor of the leash law.
- Mr. Bond stated Ms. Bates' proposal seems common sense, but reminded everyone that most attacks are by dogs that are roaming, not dogs with their owner. He emphasized that this would not be a cure-all; that unfortunately, we cannot make people be responsible pet owners, although we can encourage it.

Chairman Thornton reminded the committee of their role, stating if it's decided to vote in favor of this proposal, we need to make the recommendation to City Council and accompany it with rationale to support the recommendation. He also asked everyone to review Ms. Paul's proposal. There being no additional comments by the committee, Chairman Thornton then invited the public to make comments on this issue:

- Mr. Jackson stated he was a K-9 Behavior Specialist, which many refer to as a 'dog whisperer'. He stated most of the problems with dogs he has done behavior modification on, has been with the owners, not the dog. He stated many of the dogs are rescues from shelters, or from owners who are not sure how to deal with the animal. He feels with proper training and education of the owner, it can make a pet a 'model dog'.

There being no further discussion, Chairman Thornton called for the vote on the proposal by Ms. Bates. A vote was taken and the motion passed unanimously.

New Business

- Number of Animals – Ms. Price stated this item was added to the agenda at the request of the City Manager, as a result of a citizen concern expressed to City Council. She stated the issue is that there is a citizen who owns between 15-22 dogs on personal property. Animal Control has been to the property and the animals are well cared for, however, there has been some concern raised by some citizens. Therefore, the City Council is asking if this committee has a recommendation in regards to limiting the number of companion animals. Chairman Thornton inquired if the committee wanted to take up this issue. Ms. Price recommended the committee first educate themselves on this issue and come back next meeting prepared to discuss. Chairman Thornton asked Ms. Taylor to look at the ordinances of surrounding localities. Ms. Taylor stated she has done recent research and stated Codes Compliance handles enforcement of the codes, and for issues on care, Animal Control is responsible. Chairman Thornton asked Ms. Taylor to create a chart of the information she researched. Ms. Taylor stated she has one and will send to the committee.

Chairman Thornton asked for comments by the committee regarding limiting number of animals:

- Ms. Paul inquired if this includes cats as well. Ms. Price stated yes, it would be mainly companion animals, as there are already codes for agricultural animals, such as chickens.

- Ms. Sheffield inquired how this would regulate registered cat colonies. Ms. Taylor stated there is a specific code section for cat colonies. Chief Sult stated feral cats are not considered companions. Ms. Price stated these are the types of questions to think about and we can discuss after everyone has had time to address. Mr. Bond stated we can reference the code language to include cat colonies and work the language into our proposal.
- Mr. Bond inquired what size property would we be referencing; is there a difference in the number of animals you have based on the space you have.
- Chief Sult commented that if a dog has puppies, after a potential code change, it could take the number of animals over the limited for a brief amount of time.

Chairman Thornton asked the committee to think about our goal and what we really want to get at and manage. Ms. Price asked members to forward to her any draft proposals prior to the next meeting in order to weed out any ambiguous language, etc. Chairman Thornton asked Ms. Taylor to reference the applicable code sections when she sends out locality information.

Public Comment

No Comments from the Public

Next Meeting

The next meeting is scheduled for Thursday, September 15, 2016 at 5:30 p.m.

Closed Session

Chairman Thornton entertained a motion to convene a closed meeting pursuant to the exemption from open meetings allowed by Section 2.2-3711 (A)(1) of the Code of Virginia, to consider recommendations for appointment to the Animal Control Advisory Committee.

ACTION: Andy Anderson made the motion and Debbie Sheffield seconded. Motion passes.

Chairman Thornton entertained a motion to certify that, to the best of each member's knowledge: (1) Only public business matters lawfully exempted from open meeting requirements under Virginia law were discussed, and (2) Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting.

ACTION: Andy Anderson made the motion and Melanie Paul seconded. Motion passes.

Other Business

Ms. Paul inquired if we can discuss foxes and coyotes at the next meeting. Chairman Thornton asked Ms. Taylor to invite someone from the Department of Game and Inland Fisheries to speak on foxes and it will be added to the agenda.

Ms. Paul also mentioned her dog was featured in a Virginia & Maryland Dog Magazine.

Adjournment

Chairman Thornton called for a motion to adjourn. Mr. Anderson made the motion and Ms. Sheffield seconded. Motion passes. The meeting adjourned at 7:10 p.m.

/mao