

**UNAPPROVED MINUTES**  
**Special Session Earlham City Council Meeting**  
**January 16, 2020**

The Earlham City Council met in a special session, on Thursday, January 13, 2020, at Earlham City Hall. Mayor Lillie called the meeting to order at 6:31 p.m. and the following answered roll: Baskin, Fredericksen, Payne, Petersen, Swalla. Staff present: Police Chief Heimdal, Clerk Hibbs.

1. Approval of Agenda

**Motion by Fredericksen, second by Swalla, to approve agenda.**

**Roll: Ayes – unanimous. Motion passes.**

2. Discussion/comments on red healer owned by Laura Klisaris, 205 NE 3<sup>rd</sup> Street, that bit Janelle Conrey, 350 NE oak Avenue on December 23, 2019, and determination of vicious dog status.

Chief Heimdal stated he was called to 205 NE 3<sup>rd</sup> Street by Laura Klisaris after her dog (the red healer) bit Janelle Conrey. He said Klisaris told him the dog was on the deck, on a leash which she wasn't holding, when her dog went after Conrey's small dog. Conrey sustained a bite/scratch. Swalla asked if rabies vaccination were okay. Chief said yes. Chief had it home quarantined for 10 days. He has been to the Klisaris home 3 times following the incident and found the dog to be friendly. Payne asked if Heinz57 (adoption agency) mentioned that the dog had any vicious tendencies. Mayor said he didn't believe they would adopt out the dog if it did. Swalla asked if the victim was upset, and if he saw the bite. Chief responded, yes, she was, and he saw bites on both Janelle and her dog. Swalla asked if Chief filled out a report that day, to which he answered yes.

Karen Klisaris, who stated she is the owner, and not Laura, brought information from Heinz 57. They said her dog interacted with other dogs and all seemed fine. The dog has played with young children with no issues. They have plans to put up a fence. They also intend to have a trainer come in to work with the dog.

Janelle Conrey said she would like to see all dogs on leashes. She does not want to see this dog put down and thinks with training the dog will be okay. Believes dogs should not be allowed to run-at-large. Mayor stated the city tries to pick up strays. She explained this incident happened very fast. She was bit on the hand while trying to pick up her dog, and her dog was bit on the end of an ear and on the leg. She took dog to vet and she went to the doctor the next day. Mayor asked her if she thought the dog was trying to "play" or was he trying to attack? She did think he was trying to play. Swalla asked if her son was walking the dog, could he have picked it up? She said no.

Andrew Arnborg asked Mayor to read from the Code regarding vicious dogs. Arnborg said he was concerned Council would make a wrong decision based on interpretation of the Code. He stated the dog did not leave its yard and this was a first occurrence. He brought information on dog bites, as well as vicious animal codes from surrounding towns. He said dogs should be controlled in a fence. Discussion on whether "running at large" included the sidewalk in front of owner's property.

Laura Klisaris said this was a new dog for them and they have been working with her. The dog has been out in public and has had no problems. On the day in question, squirrels in the yard were teasing the dog and Klisaris finally gave the dog the okay to go get the squirrels. Just at that time, Conrey came around the corner with her dog and that's when the attack occurred. Klisaris grabbed her dog and took it in the house and then called Chief. She believes the dog deserves a second chance and states she didn't have the dog under control as she should have. She states the dog is always friendly. She would like a second chance for her dog. Swalla stated he is concerned about public safety.

Mikala Klisaris stated she has known this dog for two months. She has a dog herself, and Ethel (the red healer) and her dog get along fine. She says she has never seen aggression from this dog.

Payne stated he feels it was just a bad circumstance and not likely to repeat. The owner is taking measures to correct the environment. Baskin said healers will go after animals and nip. He wondered if dog was actually under control. Swalla stated if Council does nothing and this happens again, Council would feel guilty. Peterson said he feels Klisaris's are taking responsibility with putting up the fence and training the dog. Frederickson wants to give the dog a second chance. Something could happen in the future but it also may not.

**Motion by Petersen, second by Swalla, to declare the red healer, owned by Karen Klisaris, to be a vicious dog.**

**Roll: Peterson-no; Swalla-yes; Baskin-no; Payne-no; Frederickson-no. Motion fails.**

Mayor thanked everyone.

**Motion by Frederickson, second by Swalla, to adjourn.**

**Roll: Ayes – unanimous. Motion passes.**

Being there was no further business the meeting was adjourned at 7:29 p.m.

---

Jeff Lillie, Mayor

Attest: \_\_\_\_\_  
Mary Sue Hibbs, Clerk/Treasurer