

**CITY OF MORDEN
SPECIAL MEETING
MINUTES
October 2, 2020 – 10:00 A.M.**

The Special Meeting of the Council of the City of Morden was called pursuant to the provisions of *The Municipal Act* and in accordance with the provisions of the City of Morden Procedure By-law No. 10-2020. Due notice of the meeting was served to all members of Council.

Present: Deputy Mayor Gord Maddock, Councillors Garry Hiebert, Doug Frost, Hank Hildebrand, Jim Hunt, Nancy Penner, City Manager Nicole Enns, Executive Assistant Michelle Braun, By-law Officer Rick Paracholski

Absent with Regrets: Mayor Brandon Burley

This hearing was called to consider the designation of “dangerous animal” regarding the dog owned by Brenda Goertzen of 16-756 South Railway Street in Morden.

MOVED BY Councillor Jim Hunt

SECONDED BY Councillor Garry Hiebert

BE IT RESOLVED that the agenda for the special meeting of October 2, 2020 is hereby adopted as distributed.

(Carried)

Proponents in attendance:

- Rachel Wood, lawyer from Campbell Gunn Inness SEIB, speaking on behalf of Ms. Goertzen
- Brenda Goertzen, owner of Tika

Opponent in attendance:

- Donald Beers, victim of dog bite attack on September 4th, 2020

Presentation by proponents:

Tika is an American Bulldog-cross. She was previously owned by Ms. Goertzen’s son and daughter-in-law. Her daughter-in-law passed away in a vehicle accident last year, and her son is unable to care for the dog at this time. As a result, Ms. Goertzen is currently the caretaker for the dog, and Tika is very protective of Ms. Goertzen.

Ms. Goertzen agrees that Tika needs rehabilitation and training, however she admits is beyond the scope of what she can handle.

There were attestations of support for Tika and Ms. Goertzen, brought forth by Ms. Wood, from the following people:

- Taisa Marunchak (owner of SMART Dogs) – program offering to rehabilitate and train Tika. If the dog could be rehabilitated and trained after a time here, then it could be brought to live with Reuben Reimer in Miami, Manitoba.
- Reuben Reimer – family friend of Ms. Goertzen. Mr. Reimer has offered to adopt Tika after her placement in the SMART Dogs program is complete.
- Breyann Hammer – family friend of Ms. Goertzen and Merrick and Samm Wieler, Ms. Goertzen’s son and late daughter-in-law.

There were also emails that were sent to Ms. Wood in support of Ms. Goertzen from the following people:

- Ron Kreger – relative of Ms. Goertzen
- Alycia Wieler – Ms. Goertzen’s daughter

The proposal brought forth by Ms. Wood, on behalf of Ms. Goertzen, also stated that, if it is determined that the dog is not able to be rehabilitated or trained, then Council could consider other options at that time for the animal.

Presentation by Opponent:

Donald Beers was the victim of the attack and dog bite that occurred on September 4th, 2020. Mr. Beers was walking down the street when Ms. Goertzen's dog ran from their yard. As a result, he suffered wounds to his upper body from the animal's claws, where the dog jumped on him and pushed him to the ground. He also suffered bite marks to his leg. He is of the opinion that the dog should have been seized after the first attack.

In addition to the attack reported by Mr. Beers, there were other incidents/attacks reported as follows:

- April 17, 2020 – Complaint received that the dog was charging and threatening to attack and bite the neighbours
- August 22nd, 2020 – Tika attacked and injured the neighbour's dog when the owner had it out for a walk.
- September 18th, 2020 – Attacked and bit a second victim, who was a neighbour, while she was visiting with Ms. Goertzen.

It is to be noted that the attacks on both victims were unprovoked. Both victims received bite wounds and were transported to the hospital for medical care.

After the attack on Mr. Beers on September 4th, 2020, the By-law Officer had advised Ms. Goertzen that, due to the dog's vicious behaviour, he was designating the dog as an identified animal and the consequences of that designation.

On September 18th, 2020, after receiving the complaint of the second dog bite attack, the Morden Police Service and the By-law Officer ordered Ms. Goertzen to surrender the dog and she refused. When they attended her home to remove the dog, she had relocated the animal and refused to tell the Police and the By-law Officer where it was. (Ms. Goertzen stated that she regrets this action.)

On September 23rd, 2020, Ms. Goertzen did surrender the dog to the Morden Pound after the By-law Officer spoke with Ms. Goertzen's previous legal counsel, Mr. Danny Gunn, also of Campbell Gunn Inness SEIB, and advised him of the circumstances that led up to the order that the dog be impounded.

All reports regarding the above-mentioned incidents are available at the Civic Office upon request.

Council of the City of Morden will consider the facts presented and sit at a subsequent special meeting within 5 business days of this hearing to make a decision, with an exact date to be determined.

**MOVED BY Councillor Hank Hildebrand
SECONDED BY Councillor Nancy Penner**

BE IT RESOLVED that the special meeting of Council does now adjourn at 10:38AM.

(Carried)

Deputy Mayor

City Manager