Greensburg City Council
May 17, 2021
City Hall

A) CALL TO ORDER
Mayor Matt Christenson called the May 17, 2021 meeting to order at 6:00 p.m.

B) PLEDGE OF ALLEGIANCE & INVOCATION
The Pledge of Allegiance was said. Invocation was given by Pastor Jon Harrison.

C) ROLL CALL & APPROVAL OF THE AGENDA
Council Present: Mark Trummel, Pam Reves, Chance Little, and Haley Kern. Council Member Mike McBeath submitted his letter of resignation this morning, effective immediately. Christenson will be searching for someone to fill the term until it’s expiration in January. Staff present: Administrator Stacy Barnes, Chief of Police Aaron Webb and City Clerk Christy Pyatt.

Reves made a motion to approve the agenda as presented. Trummel seconded. Motion passed 4-0.

D) CITIZEN COMMENTS
There were no comments submitted in advance.

E) CONSENT AGENDA
Kern made a motion, seconded by Reves, to approve the Consent Agenda as presented. Motion passed 4-0.

F) RE-APPOINTMENTS: GREENSBURG TREE BOARD: PATRICIA FULLER; MITZI HESSER; MINDY HEINSON
Council was asked to consider the re-appoints of Patricia Fuller, Mitzi Hesser, and Mindy Heinson to the Tree Board, for terms running June 1, 2021 – May 31, 2024. Kern made a motion to approve the re-appointments as requested. Trummel seconded, and the motion passed 4-0.

G) ITEMS OF BUSINESS
1. Greensburg Police Dept. Full time Position Discussion
Webb reminded Council that 3 part-time positions were budgeted for his department in 2021. One part-time position was recently filled by Officer McAbee. Webb has a commissioned officer interested in joining the department, but would need a full-time position. Webb asked if Council would be willing to merge the two remaining part-time positions into one full-time position. A summary of department expenditures this year compared to the budgeted line items was provided in the meeting packet. Webb stated that if Council approves the request, there would need to be a classification change on the position. Webb has found it difficult to find part-time officers, especially ones who are already certified. Webb advised that there would be very little additional expense to bring the applicant on. The previously approved Durango is expected to be ready anytime between now and June 15. For the time being, he and the applicant would work with the vehicle currently in use.

Trummel asked if adding a full-time officer would double-up on coverage or provide additional coverage hours. Webb stated that the addition would provide more coverage. Double coverage would only occur if there is an incident that required two officers respond. The addition would allow Webb to have a more set schedule and alleviate some of his call time. Trummel asked what additional equipment would be needed. Webb clarified that the vest purchased for a previous hire fits the applicant. Uniforms and a duty belt would be needed, but the department already has a gun and taser. Kern voiced her approval of 1
the proposal, acknowledging that the cost is already budgeted and the applicant has already been through KLETC.

Trummel made a motion to approve merging the two budgeted part-time positions into one full-time position. Before the motion could be seconded, Reves asked about the contractuals expenditure noted in the agenda memo. Webb explained that contractuals already expensed are high because services were pre-paid for the year, rather than invoiced monthly. Reves questioned what could be expected for a police budget in 2022. Webb believes contractuals will be decreased next year. Reves asked Barnes for her opinion on the current budget. Barnes concurred with Webb, stating they will monitor expenditures closely. She believes that the department will remain within budget, having gone through nearly half of the year already with only one officer. Reves seconded Trummel’s motion, which passed 4-0.

2. Pit Bull Code Review, Chapter II, Article 4
Webb stated that he has recently had questions raised about the City’s current ban on pit bulls. Webb has come to learn of a few pit bull breed dogs in town. Other than having one at large, he has had no issues with any of the dogs. Webb stated that other cities across the state and nation have moved away from breed specific bans and have gone to having a vicious dog ordinance. The City currently has both ordinances in place. Webb asked if Council would prefer to keep the ban on pit bulls that they review the current fines before he begins enforcing the ordinance.

Trummel asked how a dog would be classified as vicious. Webb explained that if a dog is aggressive, lunging, growling, baring teeth, biting or attempting to bite it can be classified as vicious. Webb described the City’s vicious dog ordinance as being restrictive, and more fitting for individual dogs than a specific breed, which is what he would prefer. Trummel stated that he would prefer to leave the ban on pit bulls as is. He considers that breed to be unpredictable. Webb clarified that he has become aware of 2 pit mixed breed dogs that reside in town. One has been in town, but kept indoors, for many years. The other was brought to town when a resident’s adult child moved home. Webb wanted to bring the current regulations to Council for review, before he begins enforcing them, to ensure they are what Council wants to see enforced. The pit bull at large call he received prompted this review. Reves stated she does not believe that a specific breed should be penalized. The pit bulls she has met have been friendly. She pointed out that a dog of any breed could act viciously, depending on the situation. Reves voiced disapproval of the current fine of up to $1,000/day the dog is in town. She also voiced concern that new comers to town would be unaware of a ban or the need to register their pets. Kern stated that she tended to lean toward a vicious animal code rather than a breed specific ban. She has experienced an aggressive pit bull, but attributed the dog’s aggressiveness to the owner. Little clarified that the two pit bulls in town are not currently registered with the City. Staff is unable to register them because of the current ban. Webb stated that pet registration will be addressed regardless of the outcome of this discussion. Little believes that if the owners of the pit bulls have not attempted to register them with the City, the owners knew there is a ban. Staff clarified that the ban was adopted in 2006, but previously included other breeds. In 2013 Council voted to remove the bans on the other dog breeds, but to retain the ban on pit bulls. Webb again clarified that he would enforce whatever codes Council puts in place, but wanted to ensure this particular code was still what Council wants, before taking away someone’s family pet. There was additional conversation about residents, specifically those just moving to town, potentially not knowing that registration is required. Trummel advised of a potential third pit bull puppy in town.

Christenson stated that until changed, the code is the code. Based on the discussion, the Council seemed to be equally divided on the issue. In the event that a motion is made and there is a tie vote, the Mayor would cast the deciding vote. Reves believes that Council should at least review the penalty portion of the code, to which Little agreed. Kern questioned why a code should be in place if there’s no
penalty. Webb stated that he could send notice of the pit bull ban to those citizens that he is aware are in possession of that particular breed, giving them 30 – 45 days to remove the animals before a penalty is assessed. Council discussed possibly allowing all breeds, but with additional restrictions on pit bulls. Reves stated that previously the City required owners of certain dog breeds to have liability insurance on the animals. Consensus was to have Staff draft an Ordinance that would allow the breed in city limits but limit them to 1 per family and require that it be spade or neutered. Trummel requested that language be added that if there is one issue with the animal it must be removed. Webb will reach out to current families and advise them that they need to get their dogs registered. Council will review the draft Ordinance at the next regular meeting.

3. Animal Control/Code Enforcement Partnership with City of Haviland Discussion
Barnes has been in conversations with Mayor Stokes of Haviland, regarding a potential partnership for animal control and code enforcement. Barnes explained that the City is having a problem with stray cats but does not have a state licensed facility to hold them. The City’s current pound is only licensed for dogs. City of Haviland has a licensed cat and dog facility. Haviland is currently between enforcement officers and plans to advertise the position. Initially, Barnes’ conversation with Stokes was partnering on animal control, but she asked if Council had interest in adding code enforcement. Currently code enforcement for items such as weed control, structure abatement, etc. is handled through Administration and Public Works. Partnering with Haviland to provide this service to both communities would streamline the process to someone committed to those duties. If Council chooses to move forward, the position would be allowed up to 20 hours per week between the two cities. Barnes asked for feedback and what Council would like to see in an agreement, if they were to move forward with the idea.

Christenson liked the idea of a partnership. He has also been approached about stray cats and sees the benefit of having an employee dedicated to such issues. Little asked about the requirements of a licensed facility. Barnes explained that they are fairly minimal once it is established. The yearly renewal fee with the state is minimal. With the partnership, the City would keep its current dog license, but would have access to a facility for cats. A State approved cat facility has to be in a climate-controlled building. In addition to the dedicated employee, Webb can still assist with dogs at large. If created, the position would be under the Police Department. This would be a Haviland City employee, contracted to Greensburg. Building inspections and permits would continue to be separate from other code enforcement activities. Reves asked if there would be a fee for housing cats. Barnes clarified that, if there is an agreement made, the City would pay an annual fee that has yet to be determined. Reves asked if unclaimed animals would be taken to a no-kill shelter, as they have been in the past. Barnes stated that Haviland utilizes the Pratt Human Society in those situations.

Consensus of the Council was to pursue an agreement with the City of Haviland for both animal control and code enforcement.

Council received Michael Rainger with Brighter Communities. Christenson advised Rainger that prior to 7:00 p.m. several Council Members would need to leave the meeting to attend 8th Grade Graduation. At that point there would no longer be a quorum, and the meeting would be adjourned.

Rainger introduced the non-profit that he is associated with and briefly discussed the energy saver work they have been doing in Virginia. Most recently they have been studying the effects of building occupancy on energy. Rainger has been working on energy saving projects since 2007. Locally, he has been gathering utility data on residential and commercial buildings, which are shown in picture on the company’s website. (i.e. City Hall, Kiowa County Commons, the Business Incubator) Recognizing the
limited time available with a quorum, Rainger asked that Council go ahead and move to executive session.

H) EXECUTIVE SESSION - Executive session in accordance with K.S.A. 75-4319(b) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships. 15 minutes
Trummel made a motion, seconded by Kern, to go into executive session in accordance with K.S.A. 75-4319(b) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships until 6:52 p.m. (15 minutes). The motion passed 4-0. The executive session included Rainger, as it was upon his request.

Council returned to open session at 6:55 p.m. with no further action taken.

I) CITY STAFF REPORTS
Barnes stated that a staff report was available to Council in Drop Box.

J) GOVERNING BODY COMMENTS
There were no further comments from the Council.

K) ADJOURNMENT
With nothing further to discuss, Christenson declared the meeting adjourned at 6:55 p.m.

Matt Christenson, Mayor

Christy Pyatt, City Clerk