



CITY OF TOPEKA

CITY COUNCIL COMMITTEE
MEETING MINUTES

PUBLIC HEALTH & SAFETY COMMITTEE

CITY COUNCIL
City Hall, 215 SE 7th Street, Suite 255
Topeka, KS 66603-3914
Tel: 785-368-3710
Fax: 785-368-3958
www.topeka.org

Location: Topeka Police Department, LEC Classroom A

Date: September 1, 2016

Time: 3:30 p.m.

Attendance

Committee members: Sylvia Ortiz (Chair), Elaine Schwartz & Jeff Coen.

City staff: Councilmember Karen Hiller, Judge Jason Geier, Municipal Court; Chuck Kitt and Jason McIlrath, City Prosecutor's Office; Mary Feighny, City Attorney's Office; Joe Perry, Police Department; Angela Horn, City Council Office.

Call to Order

Meeting was called to order by Chairperson Sylvia Ortiz.

Approval of Minutes

Minutes of the July 19, 2016 meeting were approved.

Discussion Items

Discussion and possible action on AN ORDINANCE introduced by City Manager Jim Colson, concerning dangerous dogs, amending City of Topeka Code § 6.05.080 and repealing original section.

Councilwoman Hiller asked for clarification and input from Animal Control and Legal staff, on the proposed ordinance. Some questions, and subsequent discussions, were related to:

- Animal Control Officers using their discretion when deciding whether to pick up a dog
- The effects of the proposed fine increases
- The definition and handling of domestic animals kept as pets
- Documentation of previous convictions of dangerous dogs from other cities
- Wording of exceptions; when to use 'may' and 'shall'

Councilmember Schwartz would like to make sure a dangerous dog is always picked up immediately after the dog has harmed a human, and the owner of the dangerous dog should be made responsible for the medical expenses incurred by the victim(s). Chuck Kitt stated that the Prosecutor's Office currently seeks restitution for all verifiable medical or vet bills.

Councilmember Ortiz confirmed that the Municipal Court determines if a dog is dangerous. She asked if the courts would consider documentation from another city's court. Judge Geier stated that if the documents were presented, and if they were permissible under the ordinance, he may take them into consideration.

Councilmember Hiller mentioned getting input from Helping Hands Humane Society (HHHS). Councilmember Ortiz indicated that the ordinance draft could be shared with HHHS, but that in light of the several meetings that have been held, she wanted the Committee to take action.

No amendments were made to the proposed ordinance.

Actions Taken

The Committee approved recommending the ordinance as proposed to the City Council, with a vote of 3-0-0.

Discussion on any other items before the Committee

None

Adjournment

The meeting was adjourned at 4:30 p.m.

Video recording of this meeting can be found at:

<https://www.youtube.com/watch?v=JZZT5s76kMs&feature=youtu.be>