

Animal Control Advisory Board Minutes

August 17, 2016

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The Animal Control Advisory Board meeting was held at 4 p.m. at 777 E. Waterman, Wichita, KS 67202. Five Board members and four City staff were present; approximately 100 citizens attended – most of which did not sign in.

Members Present

Teresa Burks
Chris Hagman
Judy Handley
Stephanie Fisk McCurdy
John Stevens

Staff Present

Capt. Doug Nolte – WPD
Lt. Joe Schroeder - WPD
Jan Jarman – Law Department
Janet Johnson – City Manager’s Office

Members Absent

Guests

Listed on last page

ORDER OF BUSINESS

Chair Stephanie Fisk McCurdy called the meeting to order. **Capt. Doug Nolte** welcomed everyone to the meeting and said he was glad to see such a large turnout. He assured everyone that they would be heard; he said last week Animal Control staff had death threats against them and one employee was spit on. He asked that citizens share their input in an orderly fashion.

STAFF REPORTS

Lt. Joe Schroeder, Animal Control Supervisor, said he was assigned to Animal Control in June and since that time, he has met individually with all of his staff, with the various rescue groups and with the Kansas Humane Society. He said at the last Board meeting, concerns were expressed about animals being euthanized that were tagged to go to a rescue. As a result, he has instituted new procedures at the Animal Shelter. He explained that Kansas State Statute requires that an animal in the Shelter be viewable to the public for three business days. He said the rescues told him that three days doesn’t give them enough time to get the animal picked up, so he added an additional three days – doubling the time that an animal is held at the Shelter. He said part of the problem was that rescues weren’t communicating with Shelter staff and sometimes animals were being held up to three weeks, with no word from the rescues at tax-payer expense. As a result, he met with the rescues and KHS and they came up with a new tag for animals going to rescues that includes a description of the animal, the day it came in to the Shelter and the date it is due out. He said there is an expectation that the rescue will pick up the animal on the date it is due out, but if that’s not possible, the rescue will contact the Shelter and provide a target date. If the animal isn’t picked up within 24 hours of the target date, KHS then calls the rescue to determine what the pick- up date will be.

Other items highlighted by **Lt. Schroeder** included:

- Mandatory customer service training for all Animal Control staff.

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- Coyote issues in the Tallgrass area – falls under Kansas Wildlife and Parks. Animal Control started hearing stories about people being chased by coyotes and someone even being attacked by one. Staff investigated and found that the stories being told were not accurate and one person even admitted making up the story in order to scare his neighbors. Tallgrass has a contractor working on removing the coyotes.
- A dog that was placed in a foster home by a rescue jumped the fence and attacked a neighbor's dog. There is currently an open criminal investigation. Allegations were made that the foster family didn't know what they were getting into. He said some rescues were coming into the Shelter, feeding animals' treats which changed the animal's behavior and then the animals were being video-taped and photographed implying to people that this is how the animal always behaves. He said his number one priority to the community is public safety and he decided to enforce a rule that was already in place where food and photography were not allowed in the facility. There were people who weren't happy with this. He said as a result, he met with the Police Chief, Deputy Chief and Captain and discussed the real concern – the changing of the animal's behavior. He said they lifted the photography ban – not just for the rescues, but for everyone. He said previously rescues were allowed to photograph and video, but citizens weren't. Now anyone can take photos or videos inside the facility – he said there is nothing to hide there. Lt. Schroeder said he was disturbed when he started hearing comments that the Shelter is trying to hide something. He said that is not true and people can come into the facility anytime during operating hours. He explained that part of the issue with bringing food into the Shelter is that they are under contract with Hills Science Diet and are not to feed their animals anything but that type of food. Lt. Schroeder has contacted the company and they will provide treats for the trainers to use when they are conducting their evaluations.
- Computer issues – a decision was made prior to Lt. Schroeder taking over that Animal Control would switch from using Chameleon to PetPoint. That was not a good decision – it was a free program and it wouldn't hold the needed data, kept crashing, etc., he said. Therefore, the decision was made to go back to Chameleon; IT originally said it would take a day to make the conversion, but it took longer. Pet Harbor wasn't updating, but is now working.
- Upcoming changes: He said he has received complaints about no medical hall access. Lt. Schroeder explained that the medical hall is lined with windows so anyone can see all the animals in the entire hall. He said there is not a public access because 1. Animals come into the Shelter that are obviously ill, and staff don't know what's wrong with them. When employees go into that area, they sanitize before going in and upon leaving. He said he doesn't want to risk spreading something to other parts of the facility. The other issue is agitating animals that are injured. He said the dogs get fired up anytime someone goes in or out. He stressed that photos can be taken through the window and animals in that Hall are available for transfer just like any other. **Teresa Burks** asked if a rescue was interested in an animal in the medical hall, would it be possible for them to have their own veterinarian come and look at it. **Lt. Schroeder** said yes – that he is mandated by Statute to hold the animal for three days. He explained that if a rescue is interested in an animal that is sick or injured and they want to take it to their own vet, he

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is fine with that. He said he just needs to be able to post a photograph of the animal, with the location it is being treated in case the owner comes in looking for it.

- Since KHS is responsible for the animal transfers from the Wichita Animal Shelter to the rescues, Lt. Schroeder said he spoke with Mark Eby from KHS and they will be setting up quarterly meetings with the rescues.

Lt. Schroeder closed by stressing his commitment to balancing the need to protect the public with giving animals every chance to be adopted and have a home.

Teresa Burks asked if there would ever be a situation where an animal was deemed too dangerous to be released. **Lt. Schroeder** said there is an appeal process for dogs deemed dangerous, and there is going to be a subcommittee taking a look at the dangerous dog procedure. He said if an animal is in the Shelter that hasn't been involved in an incident, then no, even if KHS has failed it, other rescues could still take it. The only time an animal would not be adoptable is if it was involved in an incident and deemed dangerous at a level 3, then it would be euthanized. **Teresa Burks** said she understood that the Wichita Animal Shelter doesn't do any adoptions, that they all go through the Kansas Humane Society, but if a specific rescue had repeated incidents would the City do anything? **Lt. Schroeder** said rescues are licensed through the State of Kansas and unless the City passes an ordinance to do its own licensing, then Animal Control doesn't have a lot of enforcement ability against a rescue. **Judy Handley** asked if Animal Control is keeping statistics on these rescue animals that have incidents. **Capt. Nolte** said it hasn't been an issue until recently, but they are looking at it.

NEW BUSINESS

Ordinance changes and By-laws

Janet Johnson, City Manager's Office, provided the Board with a copy of the recommended changes to the ordinance that governs the Board. She explained it removes some of the specific language that outlines Board duties, thereby giving the Board more freedom and it adds another Board position, which will be appointed by the Mayor. The ordinance was on first reading on August 16th and will be adopted at the Aug. 23rd City Council meeting. She said the by-laws will be updated to align with the ordinance, once it is finalized.

Action Taken: Receive and file.

Annual election of Board chair

Handley/Hageman nominated Stephanie McCurdy. John Stevens nominated Teresa Burks.

Action Taken: Stephanie McCurdy was selected. 2:1.

Minutes

Minutes from the July 20 meeting were approved with the correction of Judy Handley's name.

Public Education

Teresa Burks said public education is one of the things the Board is tasked with doing, and they haven't done any in the year the Board has existed. She said she would like for the Board to be

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at the Animal Control booth at Woofstock and pass out educational material. She also suggested showing the Stop the 77 video.

Action Taken: Burks/Handley made a motion for the Board to pass out educational material at Woofstock. Motion passed 5-0.

PUBLIC AGENDA

Public comments and questions:

Q. If you have a dog that has been deemed dangerous and you leave the state, does that drop off? I was told if I moved out of state my dog would no longer be considered dangerous. A: **Lt. Schroeder** responded saying once she moved to another State, the Kansas law and City ordinance would no longer be enforceable. She said she thinks people whose dogs are deemed dangerous should have the opportunity to have them evaluated by a professional trainer. She then shared a story about her dog getting out and the Animal Control Officer changing his story. She would like for her dog to be able to go to classes so it would no longer be considered a dangerous dog. **Teresa Burks** told the citizen the Board has formed a subcommittee to review the dangerous dog policy. The citizen asked how the public could be involved in the subcommittee work. **McCurdy** said they can attend the meetings, which will be published on the City's website.

Comment: Citizen said she sees a lot of ads for puppies for sale and as far as she knows there are only two licensed breeders in the state of Kansas. She said she was told that pit bulls and cats account for the highest number of animals euthanized in the City shelter. She said we need to get a grip on the backyard breeders. She said the rescues are outnumbered by those "wanting to make a quick buck." She also said there is a dog fighting problem in Wichita. She said for people who illegally breed pit bulls, the fine should be outrageous. **Capt. Nolte** thanked her for bringing the issue up and said a change won't come until two things happen #1 for the police department to put some resources in doing enforcement – it's something they haven't historically done. Secondly, he said it's up to citizens to come forward and let police know that it's going on. A citizen then asked for a commitment that the police department would devote more resources to this issue. **Capt. Nolte** said he would go on record saying yes, but that they haven't been getting any dog fighting complaints and they've got to know about it before they can investigate it. Citizen asked how to report it – **McCurdy** said to call 911. She said putting it on Facebook or calling a rescue doesn't cut it – you have to call 911. Citizen suggested educating service providers such as Cox cable – who go into peoples' homes – to recognize the signs of dog fighting. **Teresa Burks** said she wished the citizens were this passionate with their Council Members and the Mayor because Animal Control is way under-funded. She said it takes more than just two or three people saying it. They all need to contact the City representatives and tell them that Animal Control needs more funding because they don't have the staff to follow up on the laws that we have. **Judy Handley** said Albuquerque, New Mexico, has a budget of around \$11 million in their Animal Control Budget – Wichita has around \$1.2 million.

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Question: I wanting to know about the dogs being stolen from people's yards. Is there anything we can do on that? **Chris Hagman** said that has been occurring in his neighborhood and they all got together and started a neighborhood watch. The citizen said when she tried to report it to police, all they were interested in was asking her how much her dog was worth. **Hagman** said that's because an animal is viewed as property. **Capt. Nolte** explained that law enforcement follows up on cases where there is solvability. He said police have limited resources, so they focus on those cases that have solvability. He provided the case desk number 268-4221 where citizens can make a report rather than call 911.

Question: Will you allow a member of the general population to save a dog that the Humane Society isn't going to take, or does it have to be through a rescue? **Lt. Schroeder** said yes, but the individual would be directed to the Kansas Humane Society which would facilitate the adoption.

Question: Are there areas where the general public and rescues can't take photos? **Lt. Schroeder** said the public can take photos anywhere that they can legally be inside the Shelter. He did clarify that he doesn't want people sneaking into restricted areas and taking pictures which includes the rabies area and the I and J halls where animals have either been deemed dangerous and their owners are working with Animal Control, or owners have made contact and we are waiting for them to come pick up their animals. These animals aren't available for transfer.

Question: How often are those of you on the Board physically visiting the Wichita Animal Shelter? Board members responded with their personal experiences. The citizen said she was concerned about the conditions at the Animal Shelter and way the animals were being treated by staff. She asked if staff were going to receive training on animal care. **Lt. Schroeder** said they have staff training once a month and he was open to any suggestions. **John Stevens** said that he doesn't have to visit the Shelter on a regular basis in order to address the issues that the Board is faced with. He said Wichita has one of the highest bite rates for postal officers in the entire country and it sickens him. He said there is a subcommittee that will be addressing this issue because he doesn't want to see another postal carrier have to get 26 stitches like the one last week. He said the public who were present at the meeting at the right to speak up, but there are others in the community that have rights also – such as workers who have to go in people's yards. He said the audience has an issue whereby they want to take pictures; he said he wanted to stop stitches going into postal workers.

Questions: Do you all keep statistics of the areas of town where your pickups are? Wouldn't you want to concentrate your efforts on those areas? Also, when you get these bait dogs, do they not get any vet care? She said they have pulled this type of animal that received no medication or pain relief. **Lt. Schroeder** said yes, they have a contract with Kutter who provides veterinarian services. There was then a discussion about a particular dog named Duncan

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Question: A citizen asked a question on what the Shelter's euthanasia rate is and how a determination is made on which animals are euthanized. She also questioned the use of control sticks. **Lt. Schroeder** said he is addressing the control stick issue and he re-iterated that he had doubled the length of time animals are held at the Shelter. He said he has to always have space available in the event of an emergency and he can't ever fill the Shelter to capacity. He said the majority of the animals being euthanized are feral cats or dogs that have been deemed unadoptable by KHS. The citizen said if there is space available the animals should not be euthanized. She also said the breeders need to be stopped. **Teresa Burks** said when you make it illegal to breed and to have an intact dog, then the only place people will be able to find dogs is commercial kennels. **John Stevens** talked about the process when Wichita Independent Neighborhoods worked with Kay Johnson, when she was over Animal Control, in studying vicious dogs. He said they were able to get a software system for Animal Control and three additional Animal Control Officers. He said citizens need to talk to their City Council people about funding more animal control officers.

Question: Citizen raised the issue of illegal breeding. She said she saw a sign in Andover for puppies for sale and you also see them on Craig's List a lot. She wanted to know where she could report things of this nature. **Lt. Schroeder** said she could e-mail him at jschroeder@wichia.gov

Comment: Citizen belongs to a rescue that occasionally pulls dogs from the Wichita Animal Shelter. She said she pulled a dog that had two broken legs and it didn't receive any medical care. She said the Board keeps saying they can't do anything so she asked that McCurdy call a meeting with all of the Council Members and make it public so they can hear what the Council intends to do to fix all of the issues that need to be fixed.

Teresa Burks said you don't have to have a USDA license to breed a dog in the state of Kansas and explained the laws. She said the City ordinance on breeding needs some work, but the Board hasn't had an opportunity to address those yet.

Comment: Citizen said he believes the City Manager would say the Board exists because the citizen insisted on it and because Animal Control wasn't funded properly. He said he had been told through the grapevine that Council has not received anything from staff telling them that Animal Control needs more positions. He said if the City Council received something from staff showing they need more positions, they would probably get them. He said he believed Vice Mayor Lavonta Williams would be supportive. The Vice Mayor said "we've got to have the money. We just did a budget – I could ask Capt. Nolte, was there anything in the budget?" **Capt. Nolte** said WPD is currently doing a staffing study that will include Animal Control. He said that study will tell us how many staff we need. He said for the political machine to run, we have to supply them with good data so they can make an informed decision.

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Judy Handley wanted to know if the City has ever applied for a grant. **Capt. Nolte** said that was a good idea. **Burks** brought up the study the City did that stated Animal Control needed additional funding for three additional Animal Control Officers, so the City Council has seen a document that stated the need.

John Stevens said a Board of eight doesn't work – you either need seven or nine to break a tie – but the Mayor forced it. He said that upsets him because back in 2006 he talked to him about funding for Animal Control and the Mayor didn't listen. He encouraged the public to e-mail Mayor Jeff Longwell and let him know we need more funding.

Comment: Citizen from Wichita Animal Action League said they made a recommendation to the Board that would solve the Animal Control staffing issues. She said they recommended having a Reserve Unit. **Lt. Schroeder** said he is open to the idea, but some things would have to be done including vetting the volunteers and looking at liability issues. The citizen said if police reserves aren't an issue and they have guns and go into dangerous situations, then they could allow someone to go do a welfare check. **Lt. Schroeder** said it's apples and oranges -- police and fire reserves go through extensive training and remain certified. He said it's not as cut and dry as it seems.

Question: Does the Board have a strategic plan? **McCurdy** said the Board created a list of priorities earlier in the year.

Vice Mayor Williams suggested the citizens form an organization like Friends of the Library. She said it's hard for the Board to function when they hear pages of concerns. She said the comments and suggestions are all over the place, but they need to be prioritized. She said money isn't just going to come – they need a “Friends of” organization. She said if every meeting is like this, how can the Board get any work done?

Chris Hagman said it is very hard for the Board to get anything done because there is so much public input. He said he hopes the subcommittees will help, and that he would be happy to meet twice a month so one meeting could be devoted to working and one for public input.

Comment: Citizen said she is with a rescue and she thanked the Wichita Animal Shelter and said how important it is that rescues put safe dogs in safe homes.

John Stevens said you help yourself if you push the City Council to find funding. They can always find funding for the things they want to do.

Question: Citizen wanted to know what type of disinfectant is used at the Shelter and what their policy is. She said there have been lots of instances where diseases have been spread and then it ends up costing the rescues and the Humane Society. **Teresa Burks** said she has seen a problem at licensed vet clinics, at kennels, etc. When it comes to tracheal bronchitis, there are many

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different viruses that cause it, which she listed several. She said there is no way to get it out of a shelter – it's impossible. She said kennel cough has been an issue, and not just at the Shelter. There was also a discussion about parvo. Burks said even when you use perfect disinfectant – which is why they don't want anyone in the medical hall – you can still pass infections. **Lt. Schroeder** said the Shelter is running a kennel cough hall and asked rescues to spray their shoes when they left. He said they do use disinfectant, but he isn't sure what it is.

McCurdy said they needed to end the public agenda and go back to new business items. She encouraged anyone who didn't get to speak to attend the next meeting on Sept. 21st.

NEW BUSINESS

Subcommittees

Janet Johnson, City Manager's Office, provided the Board with the lists of subcommittee members. Teresa Burks will chair the Spay/Neuter Committee; John Stevens will chair the dangerous dog policy committee and Judy Handley will chair the data committee. She encouraged the committees to have an agenda and to have someone take notes. She also shared information regarding the Kansas Open Meetings Act which is applicable for the committees:

- These sub-groups are equally subject to KOMA as is the full Board.
- Appropriate notice of meetings must be given to any person making a written request, and any such request should be considered effective until actually withdrawn in writing.
- No requirement exists to prepare an agenda, but if an agenda does exist, it must be available in writing to those who request it, or who are in attendance. If the agenda is known at the time notice is given you can include the agenda with the notice, but are not required to do so. The agenda may be amended at the meeting.
- KOMA does not require the public to be allowed to speak or to have an item placed on the agenda. The "right" of members of the public is only to attend and to listen.

Action Taken: Receive and file

BOARD AGENDA

John Stevens said he would like for Animal Control to provide information to the Community Police Officers on dog bites so they can report it at Neighborhood Association meetings.

Johnson said now that Animal Control has switched back to Chameleon, that data will be fed into the City's public GIS and anyone can look at where dog bites and running at large cases are being cited.

Teresa Burks announced Sept. 18th is national responsible dog owner's day. She also reported two citizens contacted her about dog situations – one where a person lost their postal service due to a dangerous dog in the neighborhood and another incident where dogs were running at large and attacked another dog that was being walked by its owner. **Burks** said the party said they

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called the police and the responding police officer told them there was nothing they could do; **Burks** said she would provide the information to Animal Control so they could follow up.

McCurdy encouraged the public to attend the next meeting, which will be held on Sept. 21st. She also encouraged them to be nice to the Animal Control Officers and to show them respect. She also provided her new e-mail address.

Chris Hageman thanked everyone for coming as it had been a rough month. He encouraged everyone to work together and to contact their Council representative. He said there's a lot to be positive about in Wichita.

Adjourned

The next meeting will be held at 4 p.m. on Wednesday, September 21, 2016, at 777 E. Waterman, Wichita, KS 67202.

Guests

Donna Wirth

Ann Shields

Judy Hill

Rick Bailey

Cheri Parsons

Misty Erwin

Toni Wenger

Sherry Irwin

Amy Miranda

Dominic Canare

Sandy McDonald

John McDonald

Kim Cramer

Dawn Martin Brown

Ele Link

Bob Scurfield

Brenda Penney

Vice Mayor Lavonta Williams

Karen Wohlwend

Mary Moore

Jill Kroger

Shonda Koob

Karen Haney

Denise Townsley

George Theoharis

Lonny Wright

Janet Wiele

Tess Goodman

Sarah Coffman

Jessica Sherwood

Amy Hegestad

Randi Carter

Cheryl Taskinen

Shannon Rudisell

Linda Constable

Ellen Querner