

## **A Motion to Adopt 2026 Annual Appointments**

**Moved:** The Governing Body of the City of Benton adopt the Annual Appointments for 2026 as presented (attached).

City Appointed Positions Recommendations – May 2026

City of Benton – Mayoral Appointments

City Clerk	Joyce Casady
City Treasurer	Joyce Jones
Police Chief	Kevin Kichler
City Attorney	Robert Lane
City Judge	Cami Baker – appointed 2026, 2-year term
Court Clerk	Kristen Beggs
Probation Officer	Ed Ketley
Bank	Community National Bank
Newspaper of Record	Butler County Times Gazette

Planning Commission/Zoning Board (3-year terms)

	<u>Appointed</u>
<u>1.</u> Tanner Swift, Chair	May 2024
<u>2.</u> Cara Dennison	May 2024
<u>3.</u> Danny Smith	May 2024
<u>4.</u> Nick Engels	May 2026 – nonresident member
<u>5.</u> Lois Young	May 2026
<u>6.</u> Amy Henning	May 2025
<u>7.</u> Kent Marnane	April 2025 – nonresident member

## **A Motion to Adopt Resolution 26-02**

**Moved:** The Governing Body of the City of Benton adopt Resolution 26-02, Fireworks (attached).

**RESOLUTION NO. 26-02**

**A RESOLUTION FIXING THE DATES AND TIMES FOR THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CITY OF BENTON, KANSAS.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BENTON, KANSAS AS FOLLOWS:**

**SECTION 1.**

Dates and times for the discharge of fireworks and the sale of fireworks by those holding a valid fireworks permit shall be fixed as follows:

June 27 through July 03	10:00 a.m. to 10:00 p.m.
July 4 <sup>th</sup> -	10:00 a.m. to midnight
July 5 <sup>th</sup>	10:00 a.m. to 10:00 p.m.

**SECTION 2.** This resolution shall take effect upon its passage by the Governing Body.

**ADOPTED** this 18<sup>th</sup> day of May, 2026.

---

Tyler Gottschalk, Mayor

---

Joyce Casady, City Clerk

Last Tuesday night the Zoning Commission met to discuss vacating the utility easement at 1560 Aviator Lane.

Their job was to:

1. Recommend to the City Council to pass an Ordinance to vacate the utility easement.
2. Recommend to the City Council to not pass an Ordinance to vacate the utility easement.

They chose to recommend to the City Council to vacate the utility easement “contingent upon the applicant coming to an agreement with Butler Electric Cooperative concerning access to the electrical box on the corner of the property”.

This recommendation will be relayed to the City Council on Monday, May 18<sup>th</sup> and then they will vote on the Ordinance to vacate the utility easement on June 15<sup>th</sup>.

Any citizen can voice their protest for 14 days from yesterday (that’s why the vote is in June instead of May).



## NOTES:

---

### Administration:

Benton Day went well this year. Once again weather threw some uncertainty into the mix, so the parade was a bit smaller and the car show was rescheduled for July 4<sup>th</sup>. The kids always have fun no matter what mother nature does.

I have a meeting with Waste Connections on May 28<sup>th</sup> to discuss our solid waste contract that expires at the end of this year. Our plan is to discuss any contract changes and performance so that we can go into renewal talks and bring this to Council for decision.

Completed ARPA expenditure reporting. We expended the remainder of this money in 2024 for sewer rehabilitation, but for some reason they want me to keep revisiting the reports annually and possibly for eternity.

With Council permission, I'd like to hold a "town hall" to present our budget plan to the people as discussed in workshop. Council SME and staff will come up with the talking points. I am thinking June 2<sup>nd</sup> in the evening. Next official step is to notify the County Clerk of RNR intent after we receive the valuation and RNR number from the County Clerk – notification from the Clerk by June 15<sup>th</sup> and intent returned to them by June 20<sup>th</sup>. After that we can schedule our RNR and budget hearings.

You have a recommendation in this packet from the Zoning Commission to pass an ordinance vacating an easement at Stearman on the hangar side. Because of a waiting period for any petition, this one isn't a decision item at this meeting, but a notification for decision at the June meeting. I will have a checklist guide for the Mayor to get us through that process legally.

I've included a fireworks resolution for discussion for June decision or for decision at this meeting. July 4<sup>th</sup> is on a Saturday this year.

I had sent out the citizen packet on breed bans. Included in this packet is a staff report to assist discussion.

Met with Developer Alan Hsu about RHID and housing options for Meadowlark/20<sup>th</sup>.

I had a request to sell a Prairie Village lot. I let them know that Council had established a moratorium on sales, but I told them I would ask Governing Body at the next meeting. We are gearing up to market the lots along with RHID to established developers.

### Maintenance:

Mowing is in full effect.

---

Finishing the concrete at the pond... getting close.

Fixed a water main break on 30<sup>th</sup>. This was a 9pm call out and service was restored by 3am. All invoices for repair will be forwarded to property owner as there was no open 811 locate.

A second company climbed the tower to give us their options for water tower paint, light repair, and light maintenance. We will be bringing these to you for discussion.

We opened up a culvert in Stearman and I will walk through with the HOA on their next steps to clean out their drainage. It looks like a fairly large job moving a lot of years worth of accumulated sediment.

Installed a couple of requested culverts.

Planted 12 trees. Two in the park and ten along 20<sup>th</sup> at the lagoon.

---

3rd Annual

# KID'S FISHING DERBY

@ The Benton Pond



Reel in the  
Big One!

Saturday  
May 30th

**OPEN TO KIDS AGES 16 YEARS & YOUNGER**

**Prizes for Biggest and Most Fish Caught**

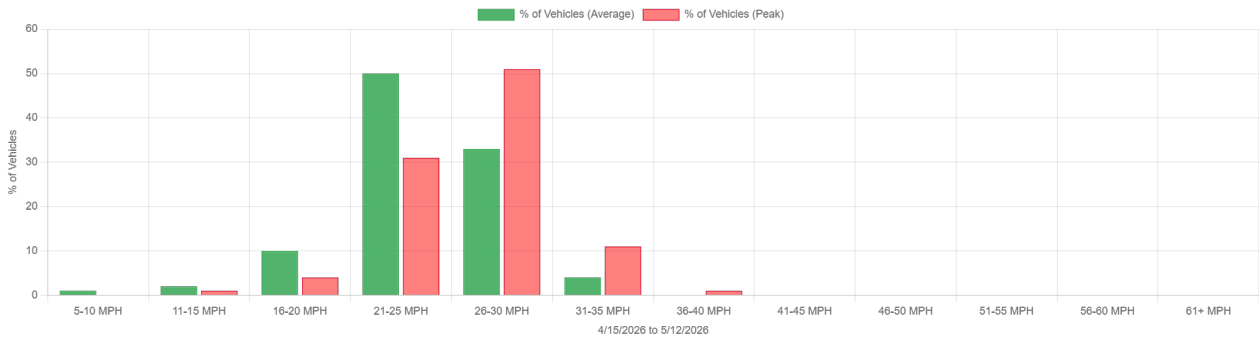
**Watch Facebook for Updates and More Information**

**Fishing Starts at 9 am**

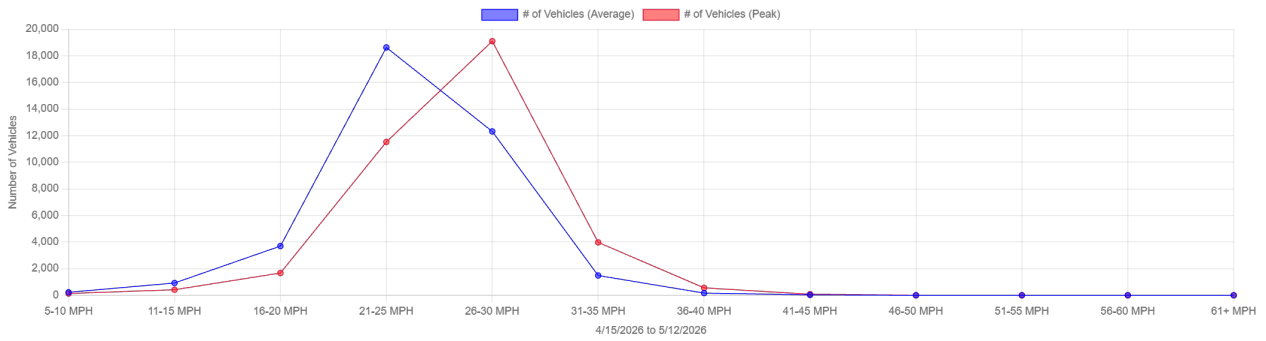
**Winners announced around 11:30**

**Our FB page Police Department Benton Kansas**

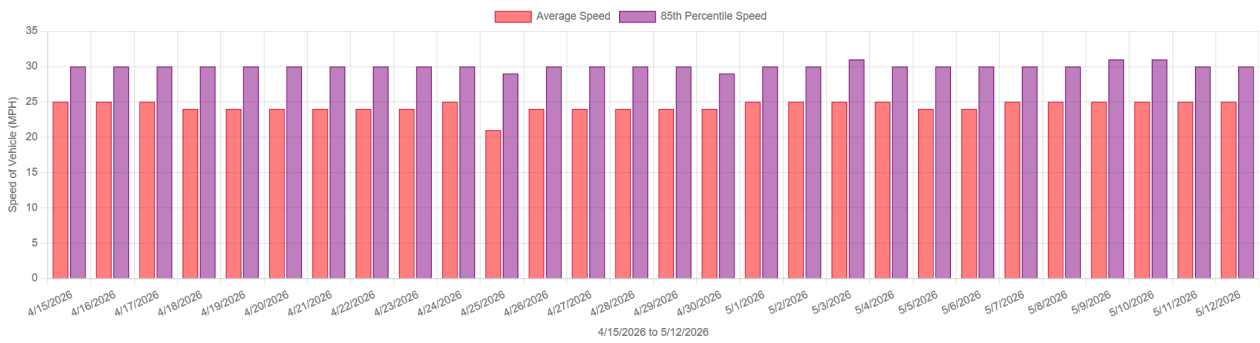
Average/Peak Vehicles by Percentage - Speed Limit 25 MPH - North Main



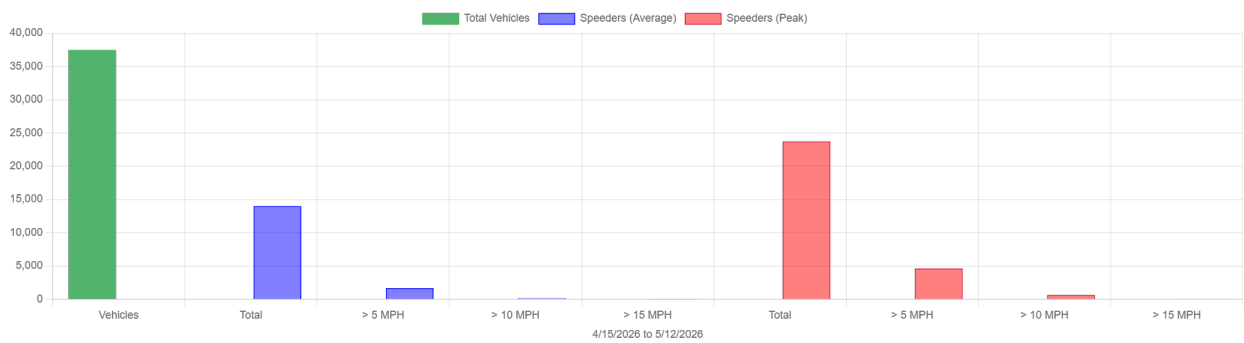
Average/Peak Vehicle Counts - Speed Limit 25 MPH - North Main



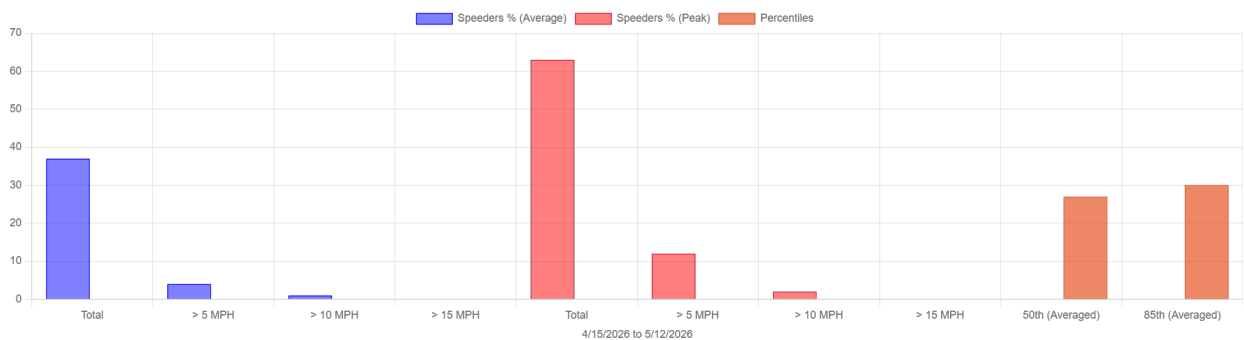
Average Speed vs 85th Percentile - Speed Limit 25 MPH - North Main



Daily Speed Summary - Counts - Speed Limit 25 MPH - North Main



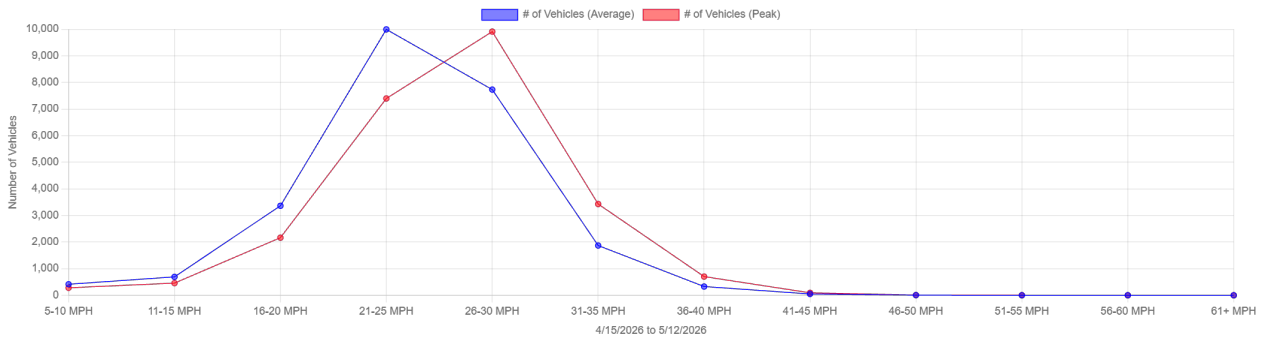
Daily Speed Summary - Percentages - Speed Limit 25 MPH - North Main



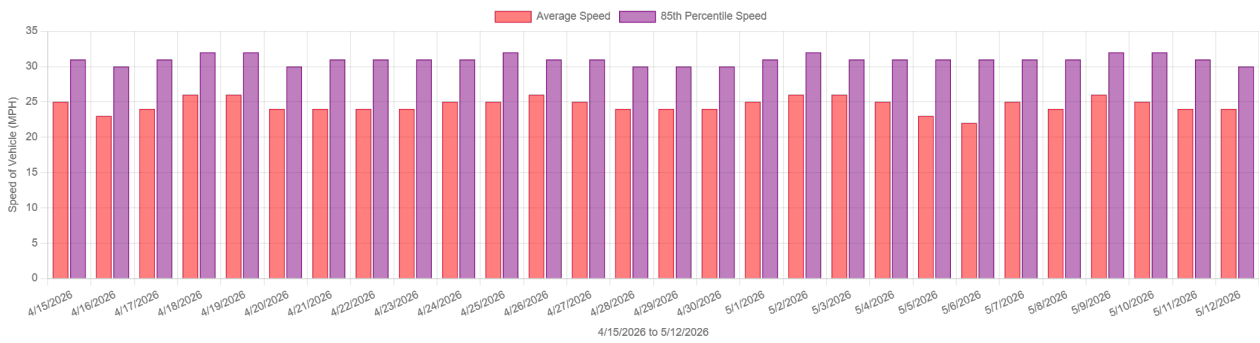
Average/Peak Vehicles by Percentage - Speed Limit 25 MPH - South Main



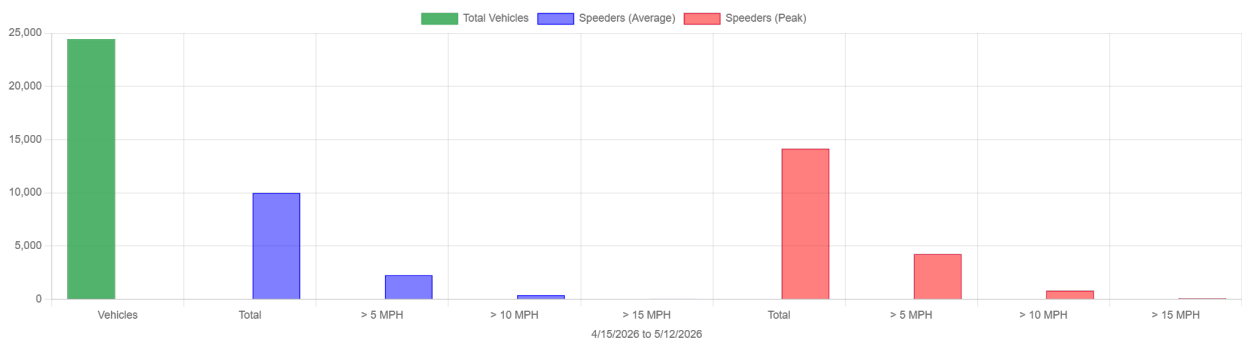
Average/Peak Vehicle Counts - Speed Limit 25 MPH - South Main



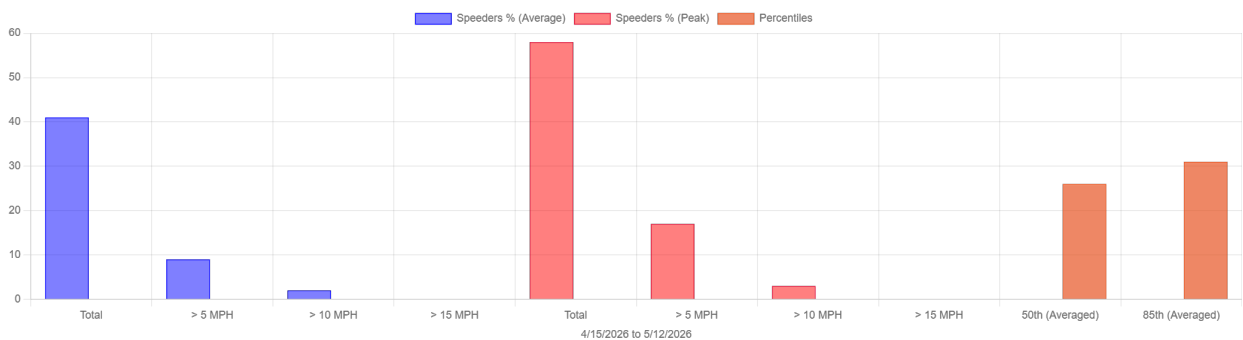
Average Speed vs 85th Percentile - Speed Limit 25 MPH - South Main



Daily Speed Summary - Counts - Speed Limit 25 MPH - South Main



Daily Speed Summary - Percentages - Speed Limit 25 MPH - South Main



Gentlemen,

As I mentioned at the council meeting on Monday, I will be bringing a request to the May meeting for a new patrol vehicle. I have done some research, and then done a bit more, and have come up with two trucks that I feel would fit with our agency. Attached to this, you will find several separate invoices.

The first is the top of the line that I would want to go. And, that is only if something happens to make either of the other two not work out. This is for a 2025 Chevrolet Trail Boss, with factory warranty and completed at ESU Pursuits. This quote came in at \$64,685, with us providing our current radar and radio. This is for the vehicle, as well as all equipment and labor to do the upfitting.

The second and third are for two trucks being completed by Superior Emergency Response Vehicles, down on US 54 between Andover and Augusta. The first is for an F150 Response and the second for a Chevrolet Silverado PPV (Police Pursuit Vehicle). Like the other, we would provide our radar and radio.

I look forward to your input and opinions when we have our work session in a couple weeks.

Thank you for the continued support you each show our department.

Kevin

# ESU Fire Division

5062 E 27TH ST  
JOPLIN, MO 64801  
United States

Tel: 913-363-3237  
sales@esupursuits.com  
esupursuits.com



BENTON POLICE DEPARTMENT

**Quote No. QTE-2026/04-3704**

As of 4/13/26

Valid 1 month

## TRAIL BOSS SILVERADO

Number	Designation	Qty	Unit price	Tax	Total
1	2025 TRAIL BOSS	1 u	\$54,100.00	0 %	\$54,100.00
2	FS Admin INTERIOR FRONT VISOR Rear ILS Lightbar, (2) Grill Lights, (2) rear Surface Mount Lights, (2) Dual SIDE LIGHTS Lights, PF200 Siren, (1) 100 Watt Siren Speakers, (1) remote nodes	1 u	\$5,550.00	0 %	\$5,550.00
3	Labor for admin unit	1 u	\$3,950.00	0 %	\$3,950.00
4	Shop supplies, Fuse block, Wiring, Breaker	1 u	\$1,085.00	0 %	\$1,085.00
5	Install equipment provided by agency	1 u	\$0.00	0 %	\$0.00

Payment check.

**Total due \$64,685.00**

**Customer**

Signed and dated:

**Todd Berry**

For Security Reasons and Mail theft Please Mail Checks VIA FedEx to 11021 Kaw Drive Edwardsville, KS 66111  
Not Responsible for vehicle damage caused by Mother Nature or Vandalism while in ESU Custody!  
Vehicle Delivery Timeline Acknowledgment

Page 1 / 1

By signing this agreement, you acknowledge and understand that the vehicle will be ready for delivery within 180 days from the date full payment is received. This timeframe is an estimate and is subject to change due to unforeseen circumstances, including but not limited to supply chain delays, parts availability, or scheduling conflicts with upfit providers. ESU Pursuits LLC will make reasonable efforts to meet the estimated delivery timeline and will provide updates should any delays occur

# Superior Emergency Response Vehicles

12548 SW Highway 54  
 P.O. Box 965  
 Andover, KS. 67002

# Estimate

Date	Estimate #
4/21/2026	4986

<b>Customer Name</b>
Benton Police Department 154 S. Main Street Benton, KS. 67017



www.SERVLLC.com      316-733-2223      Email:andy@servllc.com

Description	Qty	Rate	Total
2026 Ford F-150 Responder 4WD Black (Vehicle On Order - ETA to SERV June 2026)	1	49,513.00	49,513.00
Window Tinting (front windows and visor strip)	1	180.00	180.00
Federal Signal ILS Dual Color Interior Lightbar F-150 SIFMJS-FD15-P3	1	1,025.00	1,025.00
Federal Signal Pathway 100w Siren w/Hand-held Controller	1	658.00	658.00
Federal Signal CN Signal Master - RED/BLUE	1	615.00	615.00
Federal Signal ES100C Siren Speaker	1	262.08	262.08
Federal Signal Compact Speaker Mounting Kit	1	23.03	23.03
Federal Signal Micropulse MPS61U-Red	5	109.00	545.00
Federal Signal Micropulse MPS61U-Blue	5	109.00	545.00
Federal Signal 1" Round Tri-Color Perimeter Light - RBW	2	86.00	172.00
Federal Signal L-Bracket	4	15.00	60.00
425-6524 Jotto Center Console F-150 PR/SSV w/Locking Storage	1	758.00	758.00
425-6729 Jotto Dual ABS Cupholder	1	50.50	50.50
Jotto Faceplate w/USB and (2) 12V Outlets 425-6701	1	92.00	92.00
425-0029 Jotto Armrest Tall Rear Mounted	1	92.00	92.00
Antenna Coax/Antenna Kit	1	75.00	75.00
Circuit Breaker	1	51.50	51.50
75-100AMP Accessory Relay	1	64.00	64.00
Blue Sea Fuse Block 12 Split	1	77.75	77.75
Shop Supplies - Wiring, Connectors, Securement Items, Brackets, Etc.	1	200.00	200.00
Professional Installation / Upfitting	1	2,150.00	2,150.00

<b>Sales Tax (0.0%)</b>		\$0.00
<b>Total</b>		<b>\$57,208.86</b>

AUTHORIZED CUSTOMER SIGNATURE	DATE
By signing this estimate, Customer authorizes SERV to provide products and services as listed. Customer also agrees to our Standard Terms and Conditions as set forth on our "Terms and Conditions" page. A 3% surcharge is applied to all credit card payments.	

**Thank you for considering SERV!**

# Superior Emergency Response Vehicles

12548 SW Highway 54  
 P.O. Box 965  
 Andover, KS. 67002

# Estimate

Date	Estimate #
4/21/2026	4985

Customer Name
Benton Police Department 154 S. Main Street Benton, KS. 67017



www.SERVLLC.com    316-733-2223    Email:andy@servllc.com

Description	Qty	Rate	Total
2026 Chevrolet Silverado 1500 Pursuit 4WD Black (Vehicle In Stock, Availability Subject to Change)	1	51,648.00	51,648.00
GM Assist Steps - Black	1	750.00	750.00
Window Tinting (front windows and visor strip)	1	180.00	180.00
Federal Signal ILS Tri-Color Interior Lightbar - Silverado	1	995.00	995.00
Federal Signal Pathway 100w Siren w/Hand-held Controller	1	658.00	658.00
Federal Signal CN Signal Master - RED/BLUE	1	615.00	615.00
Federal Signal ES100C Siren Speaker	1	262.08	262.08
Federal Signal Compact Speaker Mounting Kit	1	23.03	23.03
Federal Signal Micropulse MPS61U-Red	5	109.00	545.00
Federal Signal Micropulse MPS61U-Blue	5	109.00	545.00
Federal Signal 1" Round Tri-Color Perimeter Light - RBW	2	86.00	172.00
Federal Signal L-Bracket	4	15.00	60.00
Antenna Coax/Antenna Kit	1	75.00	75.00
Circuit Breaker	1	51.50	51.50
75-100AMP Accessory Relay	1	64.00	64.00
Blue Sea Fuse Block 12 Split	1	77.75	77.75
Shop Supplies - Wiring, Connectors, Securement Items, Brackets, Etc.	1	200.00	200.00
Professional Installation / Upfitting	1	2,150.00	2,150.00

		<b>Sales Tax (0.0%)</b>	\$0.00
<b>AUTHORIZED CUSTOMER SIGNATURE</b>		<b>Total</b>	<b>\$59,071.36</b>
<b>DATE</b>			

By signing this estimate, Customer authorizes SERV to provide products and services as listed. Customer also agrees to our Standard Terms and Conditions as set forth on our "Terms and Conditions" page. A 3% surcharge is applied to all credit card payments.

**Thank you for considering SERV!**

**OPEN DISCUSSION – NON-BINDING**

## Options for Benton City Code 2-302. Pit Bulls

This report is a discussion guide for Governing Body requested at the 4-20-26 Council Meeting. Citizen request was presented to reconsider our current Ordinance,

Current Benton City Code:

### **2-302. Pit bulls.**

(a) It shall be unlawful to keep, harbor, own, or in any way possess within the corporate limits of the city any pit bull dog.

(b) Pit bull dog is defined to mean:

- (1) The bull terrier breed of dogs;
- (2) The Staffordshire bull terrier breed of dogs;
- (3) The American pit bull terrier breed of dogs;
- (4) The American Staffordshire terrier breed of dogs;
- (5) Dogs of mixed breed or of other breeds than above listed which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers;
- (6) Any dog which has the appearance and characteristics of being predominantly of the breeds of bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier; any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers; or a combination of any of these breeds.

(Ord. 269, Secs. 1,3; Code 1991; Code 2023)

### **Possible options for Council Consideration (but not limited to):**

1. Leave the City Code as written
2. Eliminate 2-302 from our Code and rely on **2-115. Vicious animals.** currently in our City Code. This excerpt is included on the next page.
3. Use an example with levels of dangerous dog and insurance requirements. I've included the Andover Code for this example.

Option 2: excerpt currently from Benton Code 2-115.

**2-115. Vicious animals.**

(a) It shall be unlawful for any person to keep, possess or harbor a vicious animal within the city. Impoundment of animals whose owners have been cited for violation of this section shall be at the discretion of the animal control officer. If the animal presents a clear and present danger to the public health or safety, it shall be the duty of the animal control officer or his or her agent to impound such animal.

(b) For purposes of this chapter a vicious animal shall include:

- (1) Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
- (2) Any animal which attacks a human being or domestic animal without provocation;
- (3) Any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting;
- (4) Any animal which is urged by its owner or harborer to attack, or whose owner or harborer threatens to provoke such animal to attack, any law enforcement officer while such officer is engaged in the performance of official duty.

(c) Whenever a sworn complaint is filed in the municipal court against the owner of an animal alleging that such animal is vicious and in violation of this section, the municipal judge shall hold a hearing to determine whether or not the animal is vicious within the meaning of this section and thereby in violation of this section. The owner of the animal shall be notified in writing of the time and place of the hearing at least one week prior to the hearing. In making a determination, the municipal judge shall consider the following:

- (1) The seriousness of the attack or bite;
- (2) Past history of attacks or bites;
- (3) Likelihood of attacks or bites in the future;
- (4) The condition and circumstances under which the animal is kept or confined;
- (5) Other factors which may reasonably relate to the determination of whether or not the animal is vicious.

The municipal judge shall order the impoundment, the muzzling in accordance with subsection (d) and/or the confinement of the animal accused of being in violation of this section in a manner and location that will ensure that it is no threat to persons or other animals pending the outcome of the hearing. If such impoundment, muzzling or otherwise safe confinement is not possible or if prior court orders to restrain such animal have gone unheeded, the municipal judge may order the animal immediately destroyed.

(d) It shall be the duty of every owner, keeper or harbinger of any dog in the city, which dog is vicious or has been known to bite, chase, or run after any person or animal in the streets, alleys, or any public place in the city, to keep the same muzzled with a good and sufficient wire or leather muzzle, securely fastened so as to wholly prevent such dog from biting any animal or person until such time as a determination has been made by the court as to whether the dog is vicious or not. Any person owning, keeping or harboring any dog within the city limits contrary to this section shall be guilty of a violation of this code.

(e) Nothing in this chapter shall be construed to prevent the animal control officer or any law enforcement officer from taking whatever action is reasonably necessary to protect himself or herself or members of the public from injury or danger, including immediate destruction of any vicious animal without notice to the owner.

(f) If a complaint has been filed in the municipal court against the owner of an impounded animal for a charge under this section, the animal shall not be released except on the order of the municipal judge, who may also direct the owner to pay all impounding fees in addition to any penalties for violation of this chapter. The municipal judge may, upon making a finding that an animal is vicious or that it represents a clear and present danger to the citizens or to other animals in the community, order the animal to be destroyed in a humane manner by the animal shelter. Surrender of an animal by the owner thereof to the animal control officer does not relieve or render the owner immune from the decision of the court, nor to the fees and fines which may result from a violation of this section.

(Ord. 187, Sec. 6; Code 1991)

Example of option 3: Dangerous levels and insurance requirements (from Andover)

**2-503. Dangerous Dog; Determination by Animal Control Officers.**

(a) The Chief of Police or designee, may, without a public hearing and based on the facts available to him or her, declare a dog to be a dangerous dog based on any one of the following guidelines:

- (1) The nature of any attack committed or wound inflicted by the animal and the need to put the community and owner on notice that the dog has displayed the propensity to inflict wounds or engage in aggressive or menacing behavior; or
- (2) The past history and seriousness of any attacks or wounds inflicted by the animal; or
- (3) The dog has exhibited an aggressive and vicious propensity toward persons or domestic animals and is capable of inflicting serious physical harm or death or damage to property; or
- (4) The conditions under which the animal is kept and maintained which could contribute to, encourage, or facilitate aggressive behavior, such as, but not limited to, allowing the animal to run at large, physical property conditions, presence of young children, the elderly, or infirm within or residing near the home, any past violations of this Article, and/or failing to provide adequate care, health care, food, shelter, or water; or
- (5) Whether the dog was owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting; or
- (6) Whether the dog has been or is adjudicated to be any degree of dangerous by the City any other jurisdiction.
- (7) In determining whether to deem a dog to be a dangerous dog, the factfinder may consider potentially mitigating circumstances such as whether the bite or scratch was made in a playful manner without any sign of aggression or whether it was a response to pain, abuse, criminal trespass, and intentional provocation.

(b) If a dog is deemed to be a dangerous dog, the level shall be specified as "potentially dangerous" or dangerous level 1, 2, or 3 based on the nature of the attack or wound combined with the totality of circumstances. The guidelines per level are advisory in nature and shall not bind the factfinder to a particular level if the totality of circumstances warrants a higher or lower level.

- (1) **Potentially Dangerous:** A minor bite, nip, scratch or abrasion where skin contact or nicks may be evident but no vertical puncture wound exists; or a bite that requires medical treatment, but no attack or aggressive behavior towards the human occurs; or an attack, without an actual bite, which inhibits movement and/or otherwise qualifies as an "attack" pursuant to 2-502(c).
- (2) **Level 1:** Any attack as defined by 2-502(c) or bite in an aggressive manner that pierces the skin; or any attack or bite subsequent to being deemed a dangerous dog on a prior occasion.
- (3) **Level 2:** Any attack or bite that is incident to an attack which involves predatory aggressive behavior toward a human or other domesticated animal while running at large, including, but not limited to: chasing, stalking, circling, inhibiting movement, predatory or aggressive pack behavior; or any bite subsequent to being deemed a dangerous dog on a prior occasion.
- (4) **Level 3:** Any severe bite to a human requiring significant medical attention, wound closure, or other emergency medical attention; or an attack or bite with a demonstrated history of bites or attacks; or repeated non-compliance with Police requirements that indicates a risk to the public; or circumstances otherwise indicating a pronounced and obvious risk to public health or safety.

(c) If a dog is deemed to be a dangerous dog, the conditions may be required of the dog's owner or harbinger to guarantee the safety of the public including, but not limited to, attendance at an approved education course, canine aggression workshop or management plan, sterilization, liability insurance, or safety equipment.

(d) The following conditions are minimum requirements that shall be ordered at each level:

- (1) **Potentially dangerous requirements:** mandatory signage and registration in accordance with 2-506(f) and microchipping in accordance with 2-502(h) and 2-506(e). If there are no further incidents or indications of aggression, either charged in court or uncharged, and all requirements have been met, upon application in writing by the owner to the Chief of Police, the potentially dangerous dog designation and all restrictions that accompany it, may be removed after 24 months. The decision to lift the designation is at the discretion of the Chief of Police or designee.
- (2) **Level 1 and Level 2 requirements:** mandatory signage and registration in accordance with 2-506(f), mandatory secure enclosure as specified in 2-502(o), microchipping pursuant to 2-502(h) and 2-506(e), and a letter from a landlord if one exists, stating that the level 1 or level 2 dangerous dog may be kept on the premises. If there are no further incidents or indications of aggression, either charged in court or uncharged, and all requirements have been met, upon application in writing by the owner to the Chief of Police, the level 1 dangerous dog designation and all restrictions that accompany it, may be removed after 36 months. The decision to lift the designation is at the discretion of the Chief of Police or designee. The designation may never be removed from a Level 2 dangerous dog determination.
- (3) **Level 3 requirement:** Euthanasia is mandatory.

(e) A dog that is harbored or maintained outside the city limits of Andover, but has committed acts either beyond or within the city limits of Andover that would deem it dangerous or potentially dangerous, may be deemed to be a dangerous dog under this Article and any orders made pursuant to that determination will apply if the dog enters the city limits of Andover.

(f) Notification procedure. If the Chief of Police or designee determines that a dog is a dangerous dog, he or she will determine an appropriate disposition based on the known facts and consistent with the provisions of this Article. The Chief of Police or a designee may impound the dangerous dog and shall notify the owner of such determination by personal service, residential service at the person's usual place of abode by leaving a copy of the notice with some person of suitable age and discretion residing therein, or by certified mail addressed to the owner's last known address, or addressed to the location where the dog is maintained. If service is by certified mail Andover Police shall request return receipt with instructions to the delivering postal employee to show to whom delivered, the date of delivery, and address where delivered. Service of process by certified mail shall be considered obtained upon the delivery. If the certified mail envelope is returned with an endorsement showing refusal of delivery, the Chief of Police or designee shall send a copy of the notice to the defendant by ordinary, first class mail. This first class mailing shall be evidenced by a certificate of mailing. Service shall be considered obtained upon the mailing of this additional notice by first class mail.

*(Ord. 590; Ord. 1675)*

## **2-504. Registration and Insurance.**

(a) The owner, keeper or person harboring a dangerous dog shall annually register the dog with the City of Andover on such forms designated by Chief of Police or designee. The owner, keeper or harbinger shall complete an application and shall pay a \$50.00 annual registration fee for a potentially dangerous dog to the City of Andover or a \$300 annual registration fee for a dog deemed dangerous level 1 or 2 and shall pay all costs associated with any other requirements ordered as a result of the dangerous dog designation. If the dog's owner had a valid dog license, such owner shall not receive a refund of the licensing fees already paid.

(b) The owner, keeper or person harboring a dangerous dog shall notify the Chief of Police in writing a minimum of 10 business days prior to any change in the address of the owner, keeper or person harboring the dog or the location of the dangerous dog and arrange for an inspection of the new property.

(c) If the owner, keeper or person harboring a dangerous dog is required to maintain liability insurance, it shall be in the amount of at least \$100,000.00 dollars for each such dog against the potential injury or damage liabilities and hazards associated with the ownership or possession of such dog. The owner or person harboring a dangerous dog shall file with the Chief of Police a certificate of insurance reflecting the required minimum insurance and shall notify the Chief of Police of any changes to the insurance policy in writing within 10 business days of the change.

(d) Any owner, keeper or harbinger who fails to comply with the provisions of this Article shall be deemed guilty of a misdemeanor and punished in accordance with 2-513.

From January 2014 to present, animal control and health departments in 20 U.S. states report that pit bulls lead all dog breeds in biting incidents, including: Arizona, California, Colorado, Florida, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Mississippi, Missouri, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Washington, Wisconsin and Wyoming. In addition to dominating biting incidents, the pit bull bite is also the most damaging, according to [scientific medical studies](#).

Over [900 U.S. cities](#) and nearly all privatized [military housing](#) -- the U.S. Army, U.S. Marine Corps and U.S. Air Force -- and many [public housing authorities](#) have breed restrictions. Such measures often include: mandatory spaying and neutering, liability insurance and strict containment requirements. The most progressive law, a pit bull ban ordinance, prohibits new pit bulls and new pit bull breeding. In just a few years time, these communities see a [significant drop in pit bull bites](#) and pit bull euthanasia.

The probability of a bite resulting in a complex wound was 4.4 times higher for pit bulls compared with the other top-biting breeds ... and the odds of an off-property attack by a pit bull was 2.7 times greater.

In 2019, for the first time on record, adult victims in the 30-49 age group sustained more dog bite fatalities than child victims in the 0-4 age group. Pit bulls inflicted 85% of these adult deaths.

From 2005 to 2019, pit bulls killed 346 Americans, a rate over 6.5 times higher than the next closest breed, rottweilers, with 52 deaths.

Over 1,000 U.S. cities have adopted breed-specific laws since the mid 1980s, just after pit bulls began leaking into the general population from the shadowy world of dogfighting.

Over 290 U.S. military bases governed by the U.S. Air Force, Air Force Space Command, U.S. Army, U.S. Marine Corps and Navy regulate dangerous dog breeds.

## **Level I Trauma Center Studies Characterizing Dog Bite Injuries Across Major U.S. Geographical Regions (2011-2022)**

**Summary:** [Table 1](#). From 2011 to 2022, 18 peer-reviewed scientific medical studies from Level I trauma centers spanning all major geographical regions in the United States—Northeast, Southeast, South, Southwest, Midwest, West Coast and Northwest—all report similar findings. Pit bulls are inflicting a higher prevalence of injuries than all other breeds of dogs. The majority of these studies (14 of 18) also report that pit bulls are inflicting the most severe injuries, requiring a higher number of operative interventions—up to five times higher—than other dog breeds.

during the [15-year period from 2005 to 2019](#), canines killed 523 Americans. Pit bulls and rottweilers accounted for 76% (398) of these deaths.

### **Estimated U.S. Cities, Counties, States and Military Facilities with Breed-Specific Laws**

<b>U.S. CITIES</b>	<b>U.S. COUNTIES</b>	<b>U.S. MILITARY BASES</b>	<b>U.S. INDIAN RESERVATIONS</b>	<b>COUNTRIES</b>
<b>1200</b>	<b>42</b>	<b>297</b>	<b>23</b>	<b>54</b>

## Executive Session motion

Moved:

That the governing body recess into executive session IAW K.S.A. 75-4319(b) to discuss non-elected personnel matters/attorney client privilege. Further, required to attend this session is the Mayor, City Attorney, City Administrator and the City Council. Further, that the governing body return to open session at \_\_\_\_\_PM